Abandoned at Sea

Europe Keeps Its Rescue Ships Far From the Coast of Libya — Where Thousands of Refugees Have Drowned

The rescuers prepare for the calm days, more than the stormy ones.

On land in small towns near the Libyan coast, refugees from Africa and the Middle East are crowded into safe houses, waiting for good weather. When the sea quiets, the refugees pack onto rubber dinghies or large wooden fishing vessels and set off in the early morning toward Europe.

An average of 3,500 people have died each year while trying to make the journey to Italy from North Africa since 2014. Their vessels are overcrowded, unseaworthy, and have a near-nothing chance of making it to Europe. Most of the boats sink just 20 to 40 miles from the Libyan coast.

These are preventable deaths. Since 2014, the European Union has deliberately chosen to keep their coast guard patrol boats far from where the shipwrecks happen, a decision detailed in an internal letter obtained by The Intercept and other leaked documents. Saving more lives, the logic goes, will only encourage more refugees to come. The result is that rescue boats are kept away from where rescues are actually needed.

The Italian navy used to run patrols near the Libyan coast. Their operation, called Mare Nostrum — "our sea" in Latin — involved a large mobilization of ships, planes, and helicopters in international waters close to Libya, where boats carrying refugees regularly capsized and sank. Mare Nostrum was enormously successful — in the year it ran, it saved over 150,000 people. Still, on October 31, 2014, Italy announced it would phase out the program.

The following day, Frontex, the European Union's border agency, took over with an operation called Triton. In a press release at the time, Frontex said its operation followed in the wake of Mare Nostrum and was intended to support the Italian authorities. There was one key difference from Mare Nostrum, however: Frontex would limit its patrols to just 30 miles off Italy's coast, which was about 130 miles from Libya — at least a 12-hour sail. Frontex was deliberately not patrolling the area where most of the shipwrecks occurred.

What's more, according to an internal letter obtained by The Intercept, the director of operations at Frontex privately told Italian authorities that his ships should not be called on to immediately respond to distress calls from outside their 30-mile patrol area.

"Frontex is concerned about the engagement of Frontex deployed assets in the activities happening significantly outside the operational area," Frontex's director, Klaus Roesler, wrote to the head of Italy's Immigration and Border Police, Giovanni Pinto, on November 25, 2014. The letter has been referenced in Italian newspapers and released with redactions that covered detailed descriptions of how Frontex coordinated its assistance with rescue efforts. The Intercept is publishing the letter in full for the first time.

Italian marines rescue refugees from a capsized boat in the Mediterranean between Libya and Italy on May 25, 2016. Many refugees depart on overcrowded dinghies that have little chance of making it to Europe.

Photo: Italian Navy/Marina Militare/Anadolu Agency/Getty Images

Like any other vessels at sea, Frontex ships are obligated under maritime law to respond to distress calls when ordered by the relevant national authorities. For the Italians, an overloaded boat with an untrained captain was a distress situation by default. Typically, someone calls the Maritime Rescue Coordination Center in Rome by satellite phone from a boat or from the Libyan coast, and Italy initiates search and rescue.

But for Frontex, at the time, that was not enough proof.

“Frontex is of the opinion that a satellite phone call is not per se a SAR [search and rescue] event and strongly recommends that actions should be taken to investigate and verify and only afterwards, and in case of distress, activate other maritime assets,” Roesler wrote, referring to a distress call via satellite phone. “Frontex doesn’t consider the [Operational Patrol Vessel] for such initial investigations outside the operational area as necessarily operational and cost effective activities.”

He continued: “General instructions to move to an area outside [European Patrol Network] Triton operational area are not coherent with the operational plan and unfortunately will not be considered for the future.”

In other words, Frontex knew it had to respond to emergency calls. But it was deliberately patrolling in the wrong area and quibbling with definitions of distress, meaning that its ships would almost certainly arrive late, if at all.

Frontex’s press office did not answer repeated requests for comment on Roesler’s 2014 letter. The agency would not clarify if the letter still represented Frontex policy, nor if the agency still believed a distress call via satellite phone was not necessarily a search and rescue event. In mid-2015, the EU tripled Frontex’s budget for Triton, matching what had once been spent on Mare Nostrum, and Frontex moved patrols another 30 nautical miles to the south, extending farther from the Italian coast. A Frontex press release at the time hailed an “enlarged Triton helping rescue migrants.” But in reality, Frontex was still six to 10 hours away from where most shipwrecks take place.

The withdrawal is consistent with the European Union’s overall approach to dealing with refugees drowning in the Mediterranean, marked by a change in emphasis from search and rescue to border security. The shift has created a tension between official EU policy and the efforts of nonprofits still doing rescue work off of Libya.

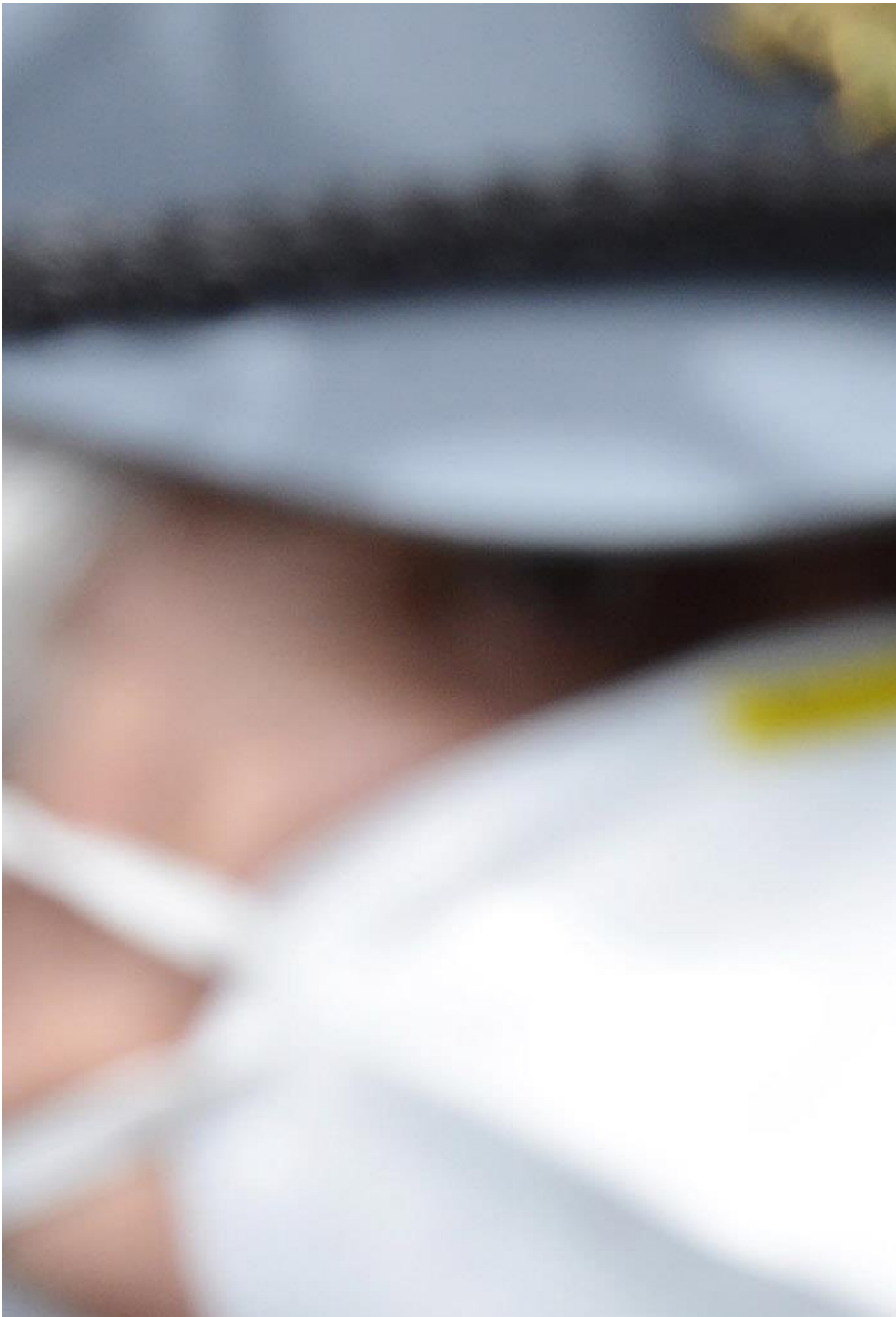
The argument against proactive rescue operations is that they create a “pull factor” for migrants. With patrols running closer to the coast, smugglers can use cheaper boats, less fuel, and little food, because migrants only have to make it as far as the patrol boats, and not the Italian coast. In turn, this could cause prices to go down and create a perception that the route is safer.

Frontex’s director, Fabrice Leggeri, echoed this position in a recent interview with the German newspaper Die Welt. “We must prevent supporting the business of criminal networks and traffickers in Libya by picking up the migrants ever closer to the Libyan coast by European boats,” Leggeri said. Frontex’s press office would not explicitly state that the agency considers rescue operations a pull factor, but a spokesperson did link NGO presence to increased migration flows.

The pull factor thesis was one reason many European governments were reluctant to fund efforts like Mare Nostrum. “We do not support planned search-and-rescue operations in the Mediterranean,” a British foreign minister told parliament in 2014. “We believe that they create an unintended ‘pull factor,’ encouraging more migrants to attempt the dangerous sea crossing and thereby leading to more tragic and unnecessary deaths.”

If proactive patrolling creates a pull factor for migration by making the route safer, then by the same logic, removing those patrols makes the route more deadly. Even Frontex’s own internal assessments predicted that when the patrol areas moved north, more people would

drown. A Triton concept document from August 2014 states bluntly that it “has to be stressed that the withdrawal of naval assets from the area, if not properly planned and announced well in advance, would likely result in a higher number of fatalities.”



Refugees disembark in Naples, Italy, from the rescue ship Scirocco Pilot after being saved in the Mediterranean. European politicians and border officials have criticized proactive rescue operations, saying they encourage people to attempt the dangerous crossing.

Photo: Salvatore Laporta/LightRocket/Getty Images

Working to stop these deaths are rescue operations run by nonprofits, which are now the front line of response to the refugee crisis. They arrive first to the site of capsizing boats near the Libyan coast and call for backup from the Italians, who then call on Frontex if necessary. The European authorities, which patrol hours away, usually come later, transferring the refugees to their ships and bringing them to refugee camps in Sicily.

On a recent mission, it was clear that nonprofits are scrambling to fill the gaps left by reduced European Union patrols.

The rescue started with a phone call. It was 10 in the morning and the Golfo Azzurro, a 120-foot fishing trawler repurposed for sea rescue by the Spanish nonprofit Proactiva Open Arms, was in international waters some 30 miles north of Tripoli. Gerard Canals, the coordinator of the mission, received notice from the Italian Maritime Rescue Coordination Center of three rubber boats in distress near our position, each with over 100 people aboard, including young children.

The Golfo Azzurro lurched to the right as the captain changed course. Lifeguards clipped fins to their belts and donned helmets and life jackets. Others prepared the Golfo's two RHIBs — small rigid-hulled inflatable boats with powerful engines. Crew threw large bags of bright orange life vests into the RHIBs and took off with a wave from the captains. As they planed across the sea toward the refugees' reported position, the Golfo Azzurro faded off into the horizon.

After about an hour, the captains of the two RHIBs stopped to take their bearings. We were in the exact position given by the Italian authorities and there was nothing in sight: no rubber boats, no Libyan fisherman, no birds. Just 360 degrees of horizon.

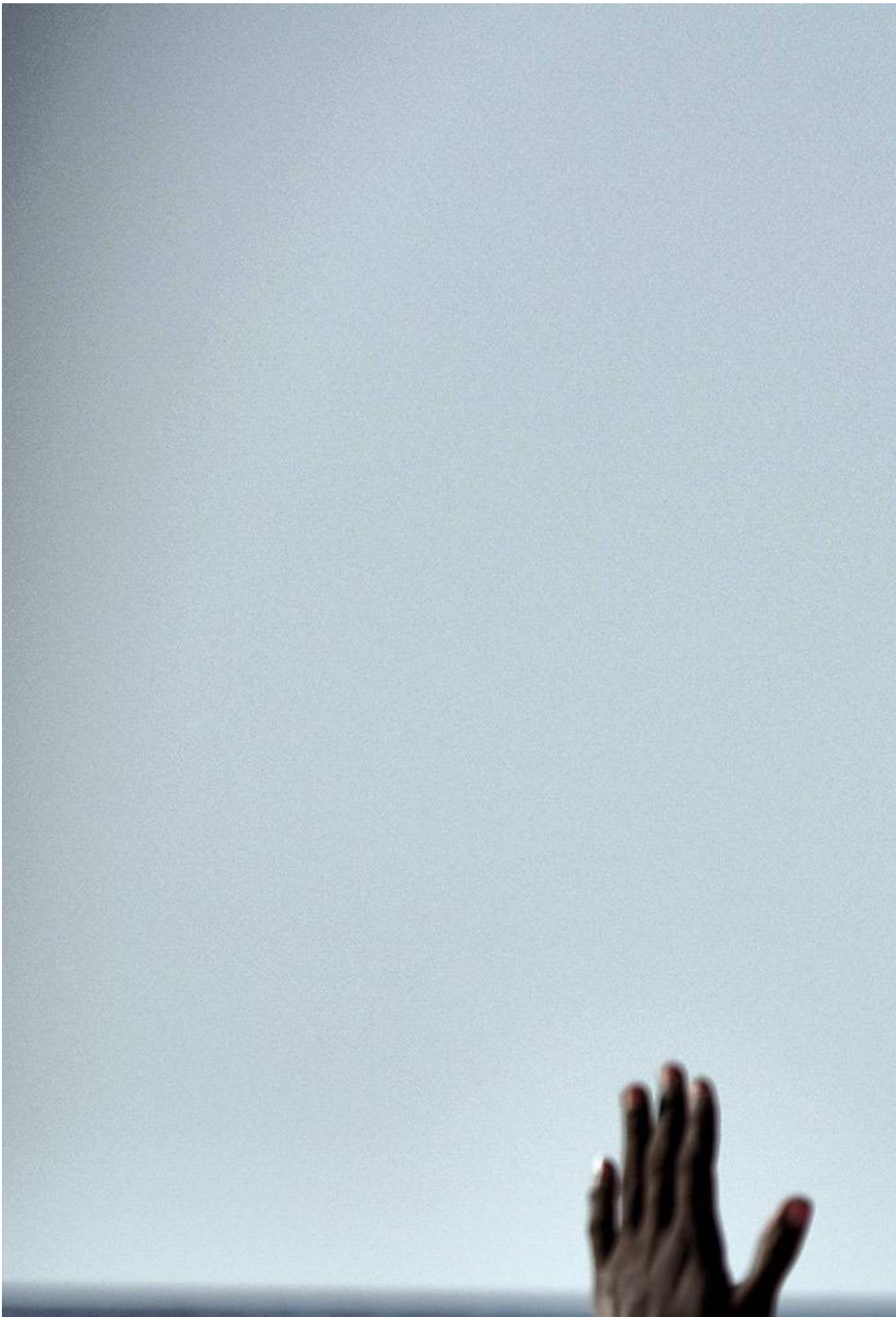
"We're all alone out here," said Ani Montes, one of the RHIB captains. The waves had picked up slightly. The other RHIB captain suggested we go south, in case the distressed boats drifted. We took off again, jumping across small waves and landing each time with a heavy thud. A few minutes later, Montes spotted a dot on the horizon. "There," she shouted. "There they are."

As we neared the rubber boat, the lifeguards looked surprised: There were supposed to be three boats, but we could see only one. The rubber dinghy was about 30 feet long and overflowing with people. Men sat around the edge of the boat, and women and children huddled in the center. The people aboard looked agitated, crowded, and cold. As we approached in the RHIB, a few waved, but most just shivered and stared. The crew was handing out lifejackets to the refugees, who were mostly from West Africa, when a call came in by radio from the Golfo Azzurro — they had found the other two boats, each carrying another 120 people. The Italian coast guard was on its way to help, the captain said, but it would be some hours before its ship arrived.

One of the RHIBs stayed with the first boat, while we made our way back to the Golfo Azzurro. Floating aside the ship, the refugees aboard one of the rubber boats waited calmly.

The other boat, however, had partially deflated and people were standing and nervous. They repeatedly called us over to point out the deflated parts of the boat, which sagged under the weight of the people aboard, barely above water. Too many people standing can cause the dinghy to tip, so one by one, the lifeguards pulled women and children from the deflated boat and transferred them to the Golfo Azzurro, hoping to take some weight off while waiting for the coast guard.

The lifeguards traded stories of past rescues. Faustino Marta, a lifeguard from Argentina, was struck by the sheer number of lives at stake. “Three boats — that’s over 300 people,” Marta said. “If we hadn’t come, that’d be like a full commercial jet crashing in the sea out here.”



Refugees wait to be rescued some 20 nautical miles off the coast of Libya on October 3, 2016. Despite the fact that the majority of boats capsize in waters close to Libya, Frontex has pulled back to patrol much farther from the coast.

Photo: Aris Messinis/AFP/Getty Images

Last summer, there were more than a dozen different nonprofits patrolling near Libya, but over the winter, it was just Proactiva Open Arms and a joint operation between Médecins Sans Frontières and SOS Méditerranée. Refugees keep risking the journey, hoping to be rescued, like a potentially deadly trust fall at sea. Canals and the other crew aboard the Golfo Azzurro said this is why they must patrol closer to Libyan waters.

“Independently of what happens afterwards, we’re here to make sure no one drowns,” Canals said.

Technically, each country in the Mediterranean has responsibility for coordinating its own search and rescue zone, or SAR Zone, but Libya’s coast guard is tiny and as decentralized as the rest of its wartime government, and unable to handle the numbers of boats departing its shores. What’s more, there have been reports that members of the Libyan coast guard are involved in trafficking migrants.

Canals said he sees an additional role for Proactiva in putting pressure on European authorities to do more to rescue refugees. While patrolling these waters, Proactiva and other NGOs often come across refugee boats in need of assistance for which no distress call has been made, as not all boats have satellite phones. By reporting the distress cases themselves, NGOs force the Italian and European authorities to initiate a rescue they would otherwise never have undertaken.

“After the Italians left the SAR area, it took the NGOs to get them to come back,” said Joey Timmerman, an engineer aboard the Golfo Azzurro who has worked with three different NGOs in the area. “Once it’s reported, it’s an emergency.”

Wrapped in blankets, refugees from Sub-Saharan Africa stand on the deck of the Golfo Azzurro rescue vessel after arriving at the Italian port of Messina in January. The more than 299 refugees aboard the ship had been rescued by members of Proactiva Open Arms.

Photo: Emilio Morenatti/AP

Yet the pull factor thesis has strong adherents. A senior European border official with close knowledge of Frontex operations and decision-making in the upper ranks of the European Union confirmed that pull factors were the reason Frontex's patrol zone was limited in 2014, and why Frontex and Italian ships still tend to stay far from Libya. (The official requested anonymity because he is unauthorized to speak to the press. Frontex did not respond to requests for comment on why it pulled back patrols.)

The official told The Intercept that, by his reading of the situation, Mare Nostrum created a pull factor for migration in 2013 and nonprofits have continued to act as a pull factor since the Italian operation was phased out. The border official is also critical of the practice of Frontex and European coast guards taking refugees from NGO ships, saying it turns them into a "ferry service" for migrants. He defends Frontex's decision to keep its patrol zone farther north, even if it means more drownings. Roesler's 2014 letter, he says, "was the correct policy."

"In order to not create a pull factor, we are patrolling up to the SAR area of Malta. We don't cover Libya," said the border official, arguing that if the journey seems longer and more dangerous, refugees won't "put their lives in risk, especially in winter, to travel all this distance to the south of Malta."

But that argument is belied by recent statistics. According to the International Organization for Migration, nearly 16,000 people have attempted this route since the beginning of this year, and there have been 477 recorded drownings. Beyond that, according to the nonprofit crews, it's common knowledge that many refugee boats still go without rescue, floating off into the darkness. Their deaths are not always noticed.

A wooden boat carrying refugees and migrants waits to be escorted to a rescue ship belonging to the Migrant Offshore Aid Station in November. Over the winter, just a handful of NGO vessels were operating in waters near Libya.

Photo: Dan Kitwood/Getty Images

There is one European operation that does patrol near Libya, where the nonprofits work: a joint European military force known by the hefty acronym EUNAVFOR Med. Its work, a spokesperson told The Intercept, is to "disrupt the business models of the smugglers" by identifying potential human traffickers and, after refugees are rescued, destroying their boats so they can't be reused. In a leaked status report on the force from last year, EUNAVFOR Med says that its relatively small number of rescues — some 30,000 people since the operation began in 2015, according to the spokesperson — "has not contributed to increasing the flow of migrants" and "cannot be regarded as decisive in terms of a 'pull factor.'" Implied is that the operation saves some lives at sea, but not too many.

The force does not appear to be coordinating actively with nonprofits, even though it maintains extensive surveillance capacity over the area between the Libyan cities of Zuwara and Misrata, where many refugee boats depart from, and its own reports bluntly state the lethal reality for refugees leaving Libya.

According to a similar December 2015 status report, originally published by WikiLeaks, the operation uses a combination of war ships, submarines, and air assets, including a drone, to maintain a "near persistent presence" over the departure points. The report from late 2016, originally leaked to the British privacy organization Statewatch, said that this surveillance provides "real time queuing for the surface elements that were tactically deployed to spot escorts or jackals, particularly during dawn hours when most launches from Libya take place." (Escorts or jackals can refer to boats that load and tow the rafts of migrants at launch or serve as lookouts.)

The strategy of destroying wooden boats has worked, EUNAVFOR Med says in its 2016 report. But it adds that the use of less safe rubber boats has gone up, at least partially as a result. (The senior border official attributed the rise in rubber boats to rescue operations, saying that smugglers know the boats don't need to go far before they'll be picked up.)

The 2015 report acknowledges that these rubber boats have little if any chance of making it to Europe on their own. "Reaching European mainland, Malta or even Lampedusa [an island off of Italy] is very difficult for these boats," it states. "Effectively, with the limited supply and degree of overloading, the migrant vessels are [distress] cases from the moment they launch."

"The majority of migrants," concludes the 2016 report, "still die inside or very close to Libyan territorial waters."

Both reports explain that EUNAVFOR Med has close information-sharing relationships with Frontex and Italian authorities. The agency even "provides early maritime situational awareness to NGOs," according to the 2016 report, though none of the four NGOs interviewed for this article said they have received such information.

European agencies know where and when refugee boats depart from, and acknowledge that the boats are incapable of making it to Europe. But with a calculated decision to withdraw the EU's rescue resources from the Libyan coast, Italian authorities and nonprofits seemingly aren't getting access to that information, and are left reliant on phone calls from distress cases to search for refugees at sea.

The results, I saw, can be deadly.

Refugees wrapped in thermal blankets sit on the deck of the Golfo Azzurro after a January rescue mission.

Photo: Emilio Morenatti/AP

When the Italian coast guard finally arrived to assist the Gulfo Azzurro, the transfer of refugees between the boats went on late into the night. As the work proceeded, the coast guard ship lit up the last rubber dinghy with a single spotlight — over 100 people sat for hours, waiting, with their fluorescent orange life vests glowing against the dark. After the last of them were brought on board, I watched the Italian crew collect the two empty rubber boats, douse them in flammable fluid, and light them on fire. As the coast guard ship steamed off into the horizon, the two boats were left burning, and a thick black smoke floated off into the starry night sky.

The captain of the Italian ship had decided that Proactiva should take the majority of the refugees to Sicily aboard the Golfo — a trip that would take us 30 hours. En route, we hit a storm, with waves some 20 feet high that rocked the large fishing ship back and forth like a skateboard with loose trucks. Over 200 refugees crowded into a makeshift shelter in the center of the boat, shielding themselves against the crashing waves under thermal blankets and tarps.

But the weather on the Libyan coast was still calm, and that night another refugee boat left Misrata, Libya. The ships belonging to Proactiva and Médecins Sans Frontières were halfway to Sicily. The Italian coast guard vessel was already in port there. When the distress call came

in, the rescue coordination center alerted Frontex, which sent a ship toward the endangered refugees. But the Frontex ship was far away, near the island of Lampedusa. By the time it arrived the following morning, the refugee boat had sunk, and there were only four survivors. Over 100 people were presumed drowned.

Top photo: Refugees and migrants sleep on the deck of the Spanish NGO Proactiva Open Arms rescue vessel Golfo Azzurro after being rescued off Libyan coast north of Sabratha, Libya on February 18, 2017 at Sea.

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