

French-British SAR cooperation in the context of *small boats* crossings

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September 15th, 2023



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Institut CONVERGENCES
MIGRATIONS

Outline

Introduction : The emergence of the maritime border

Legal context & Literature Review :

Externalization of migration control in the context of maritime migration

→ How does the externalisation of the British migratory border to France affect SAR cooperation ?

- I. Externalization in the Dover Strait : Leaving the sea out ?
- II. Cooperation and conflicts around the maritime border

Introduction : The emergence of the maritime border



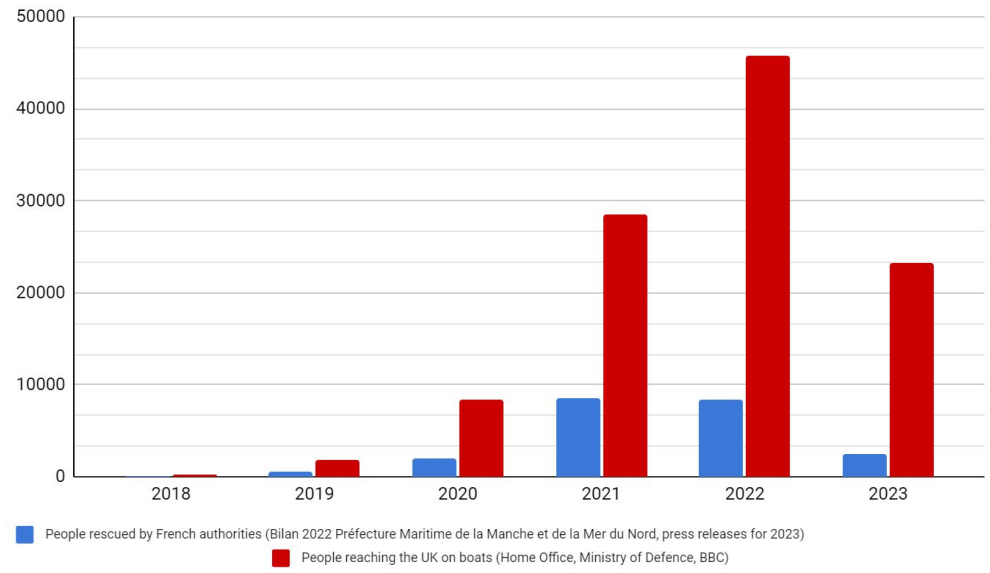
"Prime Minister Rishi Sunak: My Plan to Stop the Boats",
Youtube thumbnail, posted on August 8th, 2023



Franco-British Summit. March 10th, 2023.
Credits : Simon Walker / No 10 Downing Street

Introduction : The emergence of the maritime border

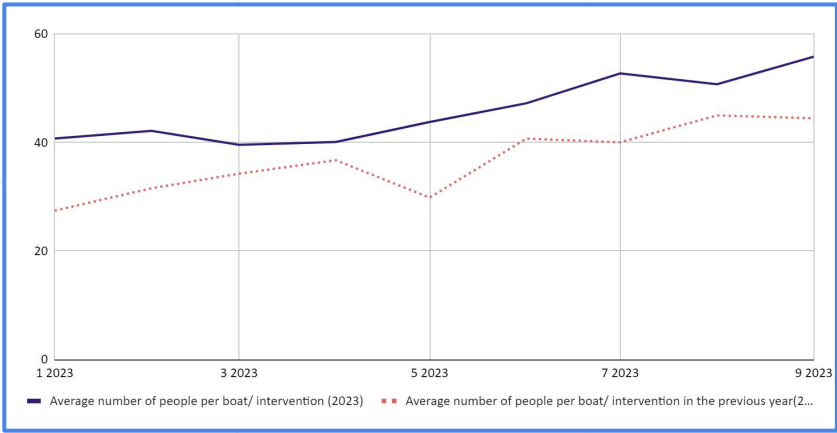
Crossings and crossing attempts in the Channel and the North Sea



Préfecture maritime Manche mer du Nord Press releases, Home Office and MoD data on small boats crossings

2023 : Data until September 11th, 2023

- Ten most common origin countries (Home Office Figures) - January - June 2023 :
- Afghanistan
 - Iran
 - India
 - Iraq
 - Eritrea
 - Syria
 - Turkey
 - Sudan
 - Egypt
 - Vietnam



Introduction : The emergence of the maritime border



C. Martel (september 2022), dinghy seen from the Malo-les-Bains dike (Dunkirk)



Ben Stansall / AFP (november 2021)

Camille Martel, September 15, 2023

Legal context & Literature Review :

Externalization of migration control in the context of maritime migration

French-British cooperation in migration management : Externalization of the migration border

A “range of processes whereby European actors and member states complement policies to control migration across their territorial boundaries with initiatives that realise such control extra-territorially and through other countries and organs rather than their own” (Moreno-Lax and Lemberg-Pedersen 2019, in Vives 2023)

Externalization as a global North - global South dynamic (Fau 2022)

- Italy-Libya, Italy-Tunisia (Albahari 2015), EU-Turkey (Davitti 2019), Spain-Morocco (Vives 2021), Australia-Indonesia (Fau 2022) → involving SAR actors

In the EU : Internal externalization (Heller and Pezzani 2016) vs (Welander 2021)

Fau (2022) defines externalisation as the “dissociation between the geographical location of the border and that of the border-related control”.

Border as a practice



Source : Sea -Watch , June 30th, 2021

Legal context & Literature Review :

Externalization of migration control in the context of maritime migration

Search and rescue cooperation in the context of boat migration

Maritime migration : at the intersection of human rights law, of refugee law, and of the law of the sea.

State parties must provide assistance to any person in distress (no consideration of nationality, status, circumstances of the distress) (1979 SAR Convention, 2.1.10)

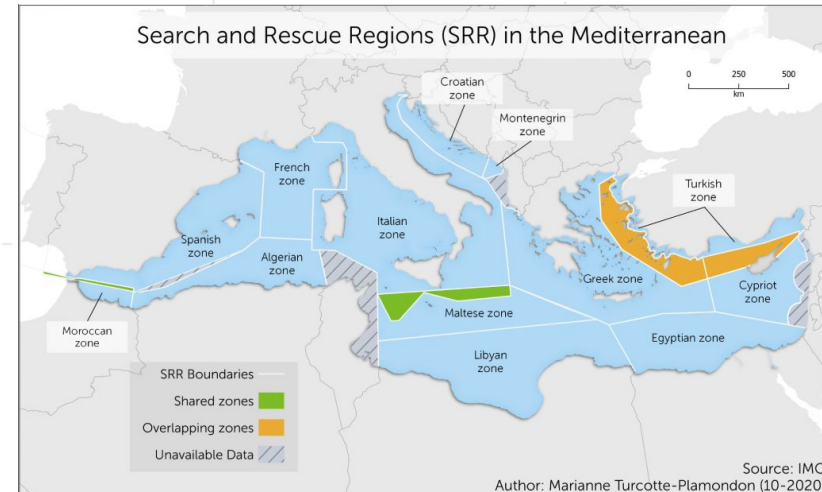
States party to the 1979 SAR Convention should enter into agreements with neighbouring states to facilitate cooperation in rescue operations.

Search and rescue obligations can conflict with states' desire to control their border (McAuliffe and Mence 2017).

→ In the Mediterranean : no regional agreement, overlapping zones factor of conflict and of gaps in SAR operations.

Pull Factor theory : SAR would be detrimental to efforts to dissuade migration and control borders.

→ Cusumano and Pattison (2018)



I. Externalization in the Dover Strait : Leaving the sea out ?

1) Pursuing externalization

2016 (August 30th) : Joint Declaration

2017 (November 16th) : Joint Declaration

2018 (January 18th) : Sandhurst Treaty

2019 (January 24th) : Joint Action Plan

2020 (November 28th) : Joint Declaration

2021 (July 20th) : Joint Declaration

2022 (November 14th) : Joint Declaration

2023 (March 10th) : Joint Declaration following the 36th French-British Summit

→ 2017 : €140 millions over 3 years

→ 2023 : €550 millions over 3 years

I. 2) The French binary

“The principle is to "block migrants on land" (LIC, Lutte contre l'Immigration Clandestine, on land) and "protect them at sea" (SAR, at sea).”
(p.23)

CROSS Gris-Nez yearly report, 2020

	AT SEA	ON LAND
Mission	SAR (Search-and-Rescue)	LIC (Lutte contre l'immigration Clandestine - <i>Fight against Clandestine Immigration</i>)
Coordination	Préfecture maritime	Préfecture terrestre
Actors	French Coast Guard (French Navy, Customs, Maritime Gendarmerie...), SNSM	National Police, National Gendarmerie
Actions	Patrolling the sea, conducting rescue missions, accompanying migrant boats	Locating migrant groups, preventing departures (seizing material, puncturing dinghies...), dispersing groups



I. 3) British unilateral attempts to further externalization



Distance to Rwanda



PA graphic

II. 1) The Manche Plan, regulating SAR cooperation

MANCHEPLAN

**Anglo-French Joint Maritime Contingency Plan
for the English Channel**



II. 2) Relative fluidity of the maritime delimitation

Interviews with French volunteer rescuers :
3 in Calais
13 in Dunkerque
16 in Berck

“According to you, where is the border between France and the UK located?”



“The border... let’s say, of the State, it exists, but then the border on the... well, the... *interventional* border, if, if this terms is right... It does not exist, because **if people drown before or after the border, well... in the maritime world, we don’t stop at the border, when people are in distress at sea, we’ll go without question.** It’s a rule... I’m not going to say, I don’t even know if its written, but it’s known to *all sailors*.”

(Alexis, Volunteer rescuer at the Dunkirk rescue station)

“After [the shipping lane], it’s the English waters. Oftentimes, when we escort them, we go as far as the shipping lane, and then it’s the English who take care of it.”

(Thierry, Volunteer rescuer at the Berck rescue station)

→ These interpretations of how the maritime border can be intervened onto rest on a territorially differentialized but relatively stable definition of distress. The maritime border is an operational limit for French rescuers, except for distress cases. But the territorialized practice of escort/interception may impact the handling of distress situations.

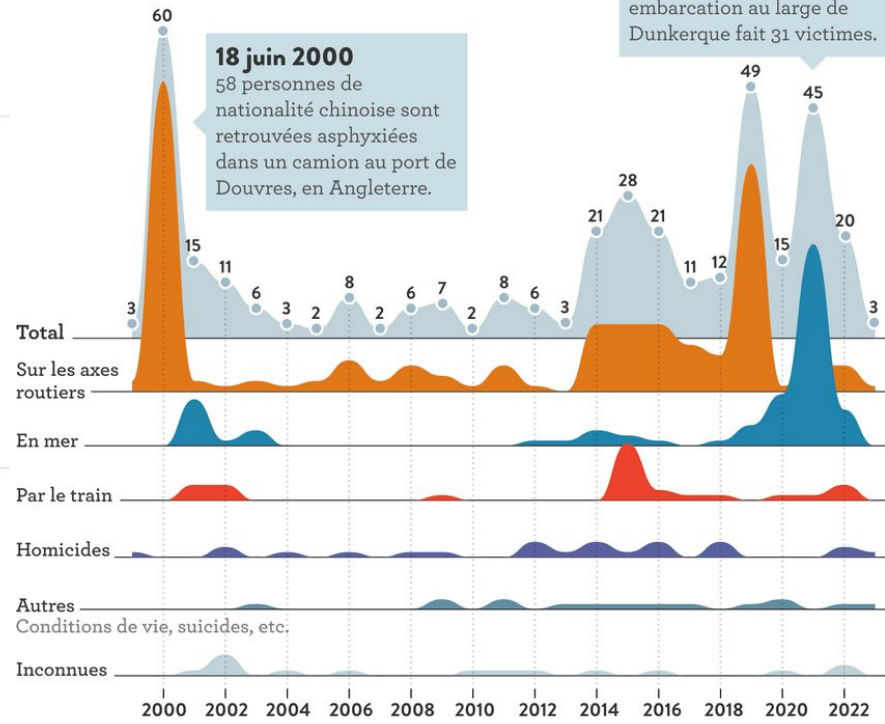
Conclusions



La Voix du Nord (soût 2023)

Une forte hausse des noyades ces dernières années

367 morts depuis 1999 dont 228 depuis 2013



Mael Galisson, Le Temps (may 2023)

Thank you for listening!
Any questions ?

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