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The Right not to Drown: Data Visualisation in Contemporary Art

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Abstract

Counter-mapping and counter-data visualisation are employed by artists to reframe migration narratives, often focusing on retracing the journeys of migrants. However, the maps of those who never made it have not received the same attention. This article examines three artistic visualisations that address infographics of people who have died or disappeared in the Mediterranean. The Mediterranean has been described as a stage for necropolitics; it is both the deadliest border and the most visualised migration route to the EU. In *Mapping Global Refugee Migration and Displacement* (2015–), Tiffany Chung uses data to map migration routes and deaths in the Mediterranean. Her hand-drawn maps, marked with colourful dots representing lives lost, lack a key, rendering the visualisation deliberately ambiguous. In *Those Who Did Not Cross 2005–2015* (2017), Levi Westerveld places a red dot for each person who died while attempting to cross the Mediterranean. Finally, in *Nautical Charts of Sunken Boats* (2021), Mathieu Pernot recontextualises historical maps of the Mediterranean by inscribing migrant shipwrecks on them that he read about in the paper. The handwritten annotations are often difficult to read. Each artist traces the ongoing catastrophe of death at sea through maps, questioning the role that cartography and data visualisation play in the documentation of mass loss. Through "The Right Not to Drown," as introduced by Hilde Van Gelder, this article explores what justice and resistance look like when the dead are memorialised through maps of Mediterranean deaths.

Keywords

contemporary art; counter-mapping; Mediterranean; migration

1. Introduction

This article examines how three contemporary artworks map the catastrophe of maritime deaths in the Mediterranean and asks how such maps might function as claims to rights. Levi Westerveld marks where people drowned in the Mediterranean with red dots in *Those Who Did Not Cross (2005–2015)* (2017). In the

project *Mapping Global Refugee Migration and Displacement* (2015–), Tiffany Chung employs existing data visualisation to map migration routes and maritime fatalities in the Mediterranean. On her hand-drawn maps, colourful dots represent both migration and lives lost, but the consistently incomplete legends render the visualisation unclear. Finally, in *Nautical Charts of Sunken Boats* (2021), Mathieu Pernot inscribes contemporary shipwrecks on historical maps of the Mediterranean that he identified through newspaper reports. Whether hand-drawn, digital, or repurposed, each artist references infographics to trace the ongoing loss of life at sea. They draw attention to how data visualisation has become a key chronicler of death at sea.

Many readers may already be familiar with the Missing Migrants Project's online map, operated by the International Organization of Migration (IOM). The map of the Mediterranean documents incidents of death or disappearance with large yellow circles, particularly along its southern coasts. Each mark on this map refers not only to deceased persons but also to the many bereaved who lack certainty on the fate of their loved ones (Moon, 2014; Olivieri et al., 2018). Since 2014, IOM has kept a record of lost lives. They have counted 32,000 individuals but speculate that the number is likely higher (IOM, 2025). Other initiatives that have tracked fatalities since the early 1990s dispute IOM's figures, contending instead that the number exceeds 66,000 (Del Grande, n.d.; The Migrants' Files, 2016; UNITED for Intercultural Action, 2025). The discrepancies highlight that any attempt to count maritime deaths of people on the move is a contentious and political undertaking.

In the heavily-surveilled Mediterranean, mass drownings result from low-tech inefficiencies, bureaucratic failures of communication, and systematic disregard for international law (Casas-Cortes et al., 2017; Lo Presti, 2019; Tazzioli, 2015b, 2016). The European Union's (EU) maritime border regime, operated by the border agency Frontex and various national coastguards, presents its work as humanitarian, yet it never accounts for how it produces the very conditions that kill people on the move (Heller & Pezzani, 2020; Heller et al., 2017). Rather than contributing to the rich scholarship outlining these circumstances, this article examines how contemporary artists have transformed infographics of deaths in the Mediterranean. Their maps do not follow academic protocols for data collection. Instead, they embrace obscurity, ambiguity, and the creative manipulation of map conventions. How such maps might foster empathy or mourning has been explored in recent scholarship (Lo Presti, 2019, 2020). This article focuses instead on how the artists stage accountability.

In light of this, I employ recent literature in art history that considers images as possible claims to rights (Azoulay, 2015, 2019; Maimon, 2021; Van Gelder, 2021b, 2024). Responding to this framework, the article asks: How do the artworks of Levi Westerveld, Tiffany Chung, and Mathieu Pernot function as demands for rights? Addressing this question requires several theoretical steps. First, I demonstrate how critical writing on mapping often already gestures towards a framework of rights. Second, I expand on the art history literature that theorises images as claims. Finally, I turn to the artworks themselves to test how a map might demand justice through visual analysis and comparison. As part of this thematic issue on Counter Data Mapping as Communicative Practices of Resistance, I argue that these works do not operate within traditions of "mapping back" or of producing additional information in an already saturated field. Instead, they might evoke what has been described as "The Right not to Drown" (Van Gelder, 2024).

2. Rights Claims With Images

2.1. How to Claim Rights With Maps

Counter-mapping is generally considered to be a critique of the assumptions a map can propose: nation-states, stable communities, or the size of continents (Boatcă, 2021; Crampton & Krygier, 2006; Wainwright & Bryan, 2009). This overview does not provide a general study on the rich field of counter-mapping; rather, I will introduce how counter-mapping was first inextricably tied to rights claims. Nancy Lee Peluso coined the term when she analysed two mapping projects in Indonesia which sought to establish and visualise Indigenous peoples' ancestral claim to land (Lee Peluso, 1995). The intention was for these maps to be used in a specific legal case. However, Lee Peluso reflects that these maps transform the claim and its presentation "from rights in trees, wildlife, or forest products to rights in land" (Lee Peluso, 1995, p. 388). Thus, maps might depict with the potential to protect ancestral claims but in doing so fail to offer a depiction which mirrors the specific use and comprehension of land. Moreover, this kind of documentation of Indigenous peoples' presence might never become a "science of the masses" (Lee Peluso, 1995, p. 387). A map rigorous enough to challenge a state-made map demands resources which are not widely available. Additionally, counter-mapping can erode the legitimacy of state maps, but in doing so it may also reproduce the cartographic language of the state rather than question it.

Later writings on counter-mapping for land rights expand on Lee Peluso's concerns that counter-mapping can be counter-productive (Harris & Hazen, 2015; Hodgson & Schroeder, 2002; Walker & Peters, 2001), yet the focus on the efficacy of maps as claims to rights decreased. Maps continue to form a part of activist work, and several publications have gathered key examples, namely *An Atlas of Radical* Cartography (2008) and *This Is Not an Atlas* (2018). In the former, Lize Mogel and Alexis Bhagat define "radical cartography" as "the practice of mapmaking that subverts conventional notions in order to actively promote social change" (Mogel & Bhagat, 2010, p. 6). The contributions range from artistic interventions to academic examinations of maps. Ten years after *An Atlas of Radical Cartography*, 40 different map-making projects were gathered in *This Is Not an Atlas* by kollektiv orangotango. In the introductory essay, André Mesquita defines "counter-cartographies" as follows:

> [A] break with the scientific tradition and specialization of cartography as well as with its mere technical or essentially positivist view of the world….With an anti-capitalist orientation, one of the aims of counter-maps is to make obscure and established powers more perceptible in order to confront them. (Mesquita, 2018, p. 26)

Mogel, Bhagat, and Mesquita promote the capacity of maps to envision social change but they no longer consider them part of legal cases.

Practices of counter-mapping migration return to the focus on rights because "mapping practices not only represent migration flows but play a key role within both the advocacy for and enactment of freedom of movement and its denial through practices of control" (Casas-Cortes et al., 2017, p. 3). For example, counter-maps of migration include "route maps" that are used by people on the move to navigate or propose possible itineraries. Simultaneously, the aim of the EU's mapping apparatus is to stop the very route that people travel along. Therefore, "route maps" have become the logic of border enforcement. In fact, Europol, the EU's intelligence agency, and Frontex utilise mapping to target people on the move far beyond the EU's

boundaries (Cobarrubias, 2009, p. 298). Sebastian Cobarrubias analyses how the surveillance technologies employed, including maps such as the i-Map, produce illegality (Cobarrubias, 2019). The i-Map is a real-time mapping of the flows towards the EU "based on controlling flows rather than (or in addition to) hardening lines" (Casas-Cortes et al., 2017, p. 11). Cobarrubias concludes that the route maps assume the "illegality" of the person on the move from the moment they leave their home (Cobarrubias, 2019). This supports existing literature present in visual studies, which argues that people are "illegalized" through images (Bischoff et al., 2010, p. 8). People's right to move is asserted, imagined, and hindered in a dynamic politics of mapping.

The following example, Forensic Oceanography's video *Liquid Traces: The Left-to-Die-Boat* (2012a), maps migration to prove a transgression of international law in court. The work reconstructs how people were left to drift in the Mediterranean for almost two weeks without the activation of a search and rescue (SAR) operation (Figure 1). In this regard, *Liquid Traces* describes the many people who decided to cross the Mediterranean as seizing "their freedom to move" (Forensic Oceanography, 2012a, 00:01:16). Of the 72 people who embarked on a rubber vessel near Tripoli on 27 March 2011, nine survived. The piece illustrates the necropolitics of Western organisations, capturing how people are "let die" through inaction (Gržinić, 2018; Lo Presti, 2019; Mbembe, 2019). Necropolitics describes more generally how sovereign powers can determine who dies and who lives (Mbembe, 2019). The "disobedient gaze" of *Liquid Traces* subverted surveillance technology to shed light on the deadly EU border regime, which dictated a death sentence through neglect (Casas-Cortes et al., 2017). The video was used in several legal cases (Forensic Oceanography, 2012b). It has also been followed by several other investigations of obstructed rescue missions, illegal pushbacks, and the EU outsourcing of border enforcement (Forensic Oceanography, 2015, 2017). In every case, a map is used to frame culpability by insisting on jurisdictional borders and obligations within the existing legal framework.

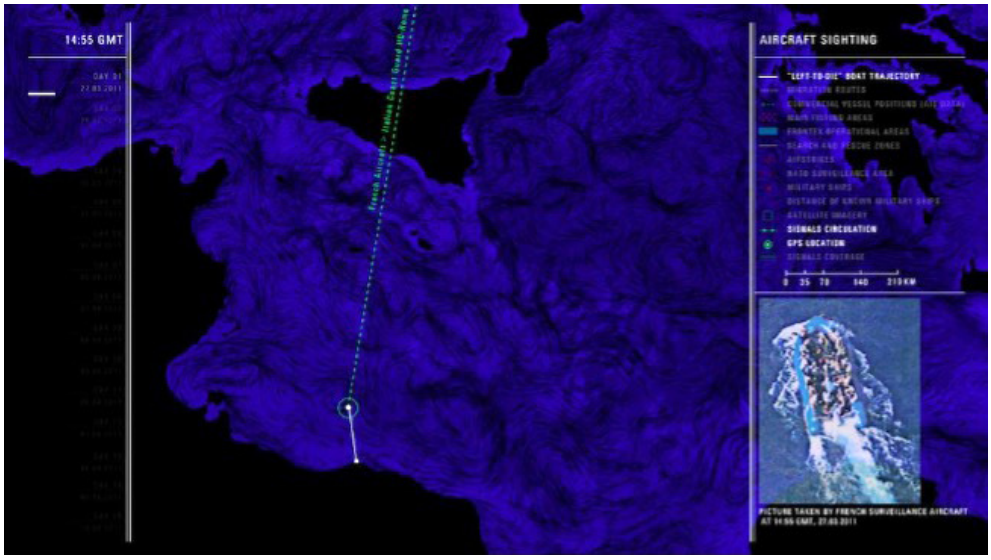

Figure 1. Forensic Oceanography, *Liquid Traces: The Left to Die Boat*, 2012, 17:59.

Liquid Traces echoes the initiatives Lee Peluso describes when she introduced counter-mapping. This same critique also applies here: The research efforts, technical skills, and resources are way beyond what a non-specialised person or community can manage. Counter-mapping might also reduce an issue—in this case, migration—to a matter of territory. When maps must be legally effective, counter-mapping remains an

inaccessible tool and fatal human rights violations are presented as an issue of jurisdiction. Regardless, Forensic Architecture and Forensic Oceanography have been instrumental in proving the disregard for human lives operated and funded by the EU. Boundaries, physical or financial, are still "one of the most contentious aspects of the cartographic-legal strategy" (Wainwright & Bryan, 2009, p. 163).

Nonetheless, scholars have defined another way to claim rights with maps. It emerged again within the field of counter-mapping. According to Martina Tazzioli and Glenda Garelli, "a counter-mapping approach does not consist in unveiling the secrecy of state's [sic] operations, nor in embracing a neo-positivist approach and proving evidence of the state's violations of the international law" (Tazzioli & Garelli, 2019, p. 7). Defined in the negative, a counter-mapping approach is not "more of visibility, more of knowledge, more of evidence" (Tazzioli & Garelli, 2019, p. 9), a "perspective from below" (Tazzioli, 2023, p. 5), nor a question of how to represent or not represent migration (Tazzioli, 2015b, pp. 4–5). Rather, counter-mapping is both a deconstruction and construction that builds "new and different constellations of political and historical connection" (Tazzioli & Garelli, 2019, p. 9). In the case of migration, Tazzioli proposes counter-mapping as a research method which draws attention to how people on the move exceed systemic control and claim their rights through disobedience. Tazzioli contemplates rights as something to be interpreted from people's struggles. Protests and refusals by people on the move in the EU promote "the image of a European space of free movements not grounded on citizenship but on spatial presence" (Tazzioli, 2015b, p. 12). In a later article, she formulates a right to European asylum with the subheading reading: "Instead of asking what's 'fair' for states, let's ask what's just for asylum seekers" (Tazzioli & Stierl, 2023). This method interprets rights not from the existing set of laws, but from people's practices of freedom.

Counter-mapping, as introduced in academia, was a way to claim rights through legal systems. In matters of migration, Forensic Oceanography is amongst the initiatives that function within the original way of pursuing rights with maps. Tazzioli speculates that such a method might be a straitjacket which does not allow for other imaginations of the justice system or recognise people's freedoms. My survey of how people envisage rights being claimed through maps highlights that maps can be used to present evidence of legal violations and to interpret resistance as proposals for rights.

2.2. How to Make a Visual Declaration of Rights

Scholars in the field of art history have also addressed the capacity of images to claim rights or preserve freedom. Historian, photography scholar, and artist Ariella Aïsha Azoulay posits that certain combinations of images can be conceived as a "Visual Declaration of Human Rights" (Azoulay, 2015). Her book, *The Civil Contract of Photography* (2008), insists that photography evokes rights through a set of relations between the photographer, the photographed, and the camera. Together, they form a contract in which citizenship is not granted by the state but by the ethical spectator and the photographed person who claims it. They recognise that citizenship is a common property, mediated by the common property of the photograph. Azoulay writes that "citizenship should become a matter of topographical location, a property allocated equally to everyone as each is entitled to it by virtue of their presence in the governed territory" (Azoulay, 2008, p. 78). Citizenship is claimed by presence, paralleling Martina Tazzioli and Glenda Garelli's proposal that counter-mapping should view the right to settle as that which is enacted by presence. Azoulay played a part in shifting the conversation on photography away from the emotional economy of empathy, outrage, or solidarity to rights, citizenship, and obligations.

In *Ground Sea: Photography and the Right to Be Reborn* (2021), art researcher Hilde Van Gelder proposes that photographs advance "The Right to Be Reborn" and "The Right to Reappear," pleading for a non-imperial judicial system which allows people to become part of new communities. The book spans artworks, legal architecture, and cultural geography on migration across the Strait of Dover and Calais, showing how the strait is crossable and interwoven with histories of migration. As a later appendix to this work, she created *Thirty-Three Blueprints for the Right not to Drown* (2023) and a letter to a fictional art critic (Van Gelder, 2024; see Figure 2). On 24 November 2021, 27 people drowned, four disappeared, and two people survived when their rubber dinghy sank in the English Channel. The blueprints were a response to this event and comprise three sets of 11 cyanotypes, one for each of the drowned people, those who disappeared, and the two survivors. In the accompanying letter, Van Gelder outlines the French track record of refusing to uphold the obligation to save lives at sea. Despite several emergency calls, the poor communication between the French and the British rescue services, topped by a "moral deficit," meant that they were left to drown. The Right not to Drown, a right invented by Van Gelder, references both the Right to Life and the duty to rescue people in distress at sea. The former is a human right, the second a rule from the international law of the sea, maritime law, and international humanitarian law (Papanicolopulu, 2016). Following Van Gelder, I consider the Right not to Drown as straddling those into one non-imperial right. Similar to The Right to Be Reborn and The Right to Reappear, the Right not to Drown calls for creating the conditions where these disabled existing rights and duties can be re-activated within a shared worldly condition instead of an imperial one (Van Gelder, 2021b).

Figure 2. Hilde Van Gelder, *Thirty-Three Blueprints for the Right not to Drown*, 2023, cyanotypes, each measuring 29 × 39 cm.

Thirty-Three Blueprints for the Right not to Drown (2023) pairs images of Van Gelder's family, her own children who she taught to sail at a very young age, with a view of the French Cap Gris-Nez. The use of family photographs is significant. For art historian Vered Maimon, when family photographs are repurposed to insist on the right to life, they can uphold "a concept of universality as an unfulfilled collective claim and a site for contestation, rather than as an ideological norm that masks conflict and repression"(Maimon, 2021,

p. 121). In her book, *Contemporary Art, Photography, and the Politics of Citizenship*, Maimon identifies a move away from the politics of representation to a "politics of rights" in depictions of vulnerable populations. Van Gelder's use of photography as a promoter of rights mirrors this view of the medium, though, of course, her subject matter is entirely different. She underlines the difference between the subjects depicted, EU citizens who would likely be rescued by a SAR operation, and the people to whom the photographs refer: those who were left to drown. Van Gelder conceptualises the Right not to Drown as a necessary right to be claimed, as it is already implicitly accessible to her kin.

The sequence of blueprints exemplifies what Azoulay would likely refer to as a "Visual Declaration of Rights." Azoulay created such a declaration in an exhibition by combining two series of photographs. In the accompanying text, Azoulay explains that a declaration is a montage of comparisons which can never have a sole author (Azoulay, 2015). In the exhibition, one series depicts protests from the 1930s–1950s in which people mobilised against the emerging world order that sought to oppress them. The other series consists of images of "lovers" appropriated from the 1955 exhibition *The Family of Man*. The combination of images of intimate relationships and public protest captures rights as relational: imagined and negotiated before they formally exist. Again, rights have world-building capacities and make certain political constellations possible. They are not necessarily taken from an existing legal architecture and applied. The shift away from issues of representation suggests the importance of reviewing the potential of images as part of rights projects.

The visual declaration that Azoulay and Van Gelder develop employs the logic of montage. Montage works by holding together opposing views, forming a process of juxtaposition and comparison. Véronica Tello analyses the growing literature on art on migration by citing T. J. Demos, Mieke Bal, Nikos Papastergiadis, Angela Melitopoulos, and Jill Bennett (Bennett, 2012; Demos, 2013; Melitopoulos, 2007; Papastergiadis, 2000; Tello, 2016). For Tello, the common denominator in all of these is "the nexus of montage and the aesthetics of exile and migration" (Tello, 2016, p. 31). Demos reads documentary works alongside Giorgio Agamben's concept of "bare life," a condition in which individuals are deprived of political representation by a sovereign power (Agamben, 1998; Demos, 2013). Bal and Miguel Á. Hernández-Navarro collect texts on how art acts as "little resistances" against nationalist narratives and differential rights to movement (Bal & Hernández-Navarro, 2012). Collectively, these theorists analyse artistic practices that employ montage to create disorienting encounters with experiences of migration, thus opening a space that disrupts the divide between "citizen, refugee, migrant" (Tello, 2016, p. 33). By contrast, Azoulay and Van Gelder mobilise montage explicitly in relation to rights.

Additionally, Van Gelder's blueprints and the Right not to Drown are a critical response to the kind of images of migration which artists have been lauded for (Van Gelder, 2024). Such works, rewarded by jury prizes and large-scale exhibitions, reinforce a hyper-visibility that fixes people on the move as disenfranchised victims of circumstance, whilst leaving obscured the systemic injustices that directly structure and produce their conditions. In the 33 blueprints, Van Gelder leaves the two prints that refer to those who survived blurry as an attempt to resist the tendency towards hyper-visibility. In fact, Van Gelder encourages the idea of "weak images," which are unspectacular images that resist aestheticisation (Van Gelder, 2021a, 2021b). Her 33 blueprints may be understood in this register, shifting attention away from representational spectacle towards a contemplation of who has access to rights and who does not. These questions are ethical, yet a key factor in contemporary art is ethics (Demos, 2013). That focus is echoed in contemporary literature on how to use maps to create infographics on migration (Adams, 2020; Bacon et al., 2016; Bueno

Lacy & van Houtum, 2015; Cobarrubias, 2019; van Houtum, 2024; van Houtum & Bueno Lacy, 2019; van Houtum & Bueno Lacy, 2020). The attention towards the maps of death, however, has been more disparate, and so have the ethical concerns (Heller & Pécoud, 2020). That is the gap that this article addresses, although many more considerations are needed, academic or not.

In conclusion, several art historians have recognised the potential of images to be used as rights claims. Azoulay illustrates that rights are claimed, imagined, and fought for. Maimon underlines that disagreement is central to any claim as it protests the unequal distribution of rights. Van Gelder mobilises repetition, comparison, and disjunction as strategies of rights-claiming. When considered alongside prior discussions of mapping practices, both differences and similarities become evident. A parallel can be drawn between the conceptions of rights advanced by Azoulay, Maimon, and Van Gelder on the one hand, and those articulated by Martina Tazzioli and Glenda Garelli on the other. Rights emerge from protests and contestations, or from events of injustice that galvanise claims not yet codified in law. Unlike Forensic Oceanography or the mapping projects analysed by Nancy Lee Peluso, these practices do not require high-tech map-making, nor will they be used in a court of law. Such a conception has limits in terms of pursuing justice short term, but perhaps it marks a cultural shift in promoting a perception of rights as a shared commons recognised by a growing community of cultural practitioners, academics, and activists.

3. Case Studies

The Right not to Drown is particularly significant in this context as it engages with artists' map-based infographics of deaths in the Mediterranean. Whereas the preceding examples involved artists, mapmakers, and academics explicitly making claims to rights, the works I examine were not created with that intention. The artists' infographics challenge conventional statistical representation: They neither enumerate the dead nor provide a clear legend. They might be understood in the register addressed above as not representational but as rights claims. Therefore, I return to the guiding question now situated within a more robust theoretical framework: How do the artworks of Levi Westerveld, Tiffany Chung, and Mathieu Pernot function as demands for rights? The following exploration outlines the works as well as explaining different ways of counting the dead, which have informed the format of their work.

3.1. Those Who Did Not Cross 2005–2015 (Levi Westerveld, 2017)

Artist and map-maker Levi Westerveld explains that "maps are one of the few languages we have to communicate the scale and the complexity of some of the most important issues we face" (TEDx Talks, 2024). He cites his map, *Those Who Did Not Cross 2005–2015* (2017), as representing deaths and disappearances in the Mediterranean using data from The Migrants' Files (Figure 3). The map delineates the three principal Mediterranean migration routes—the Western (Morocco, Algeria), Central (Tunisia, Libya), and Eastern (Turkey)—with red dots marking fatal events. In a few instances, a brief annotation specifies the number of deaths and, at times, the circumstances. A brief text on the left side explains that more than 16,000 people have died and that the exploitative methods of human smugglers are partially to blame.

Westerveld sought to produce an emotionally charged data visualisation. He argues that although the public is aware of the Mediterranean fatalities, there is a lack of emotional resonance. By employing a conic projection, Westerveld excludes most of Libya and Egypt while incorporating Turkey, thereby centring the three primary

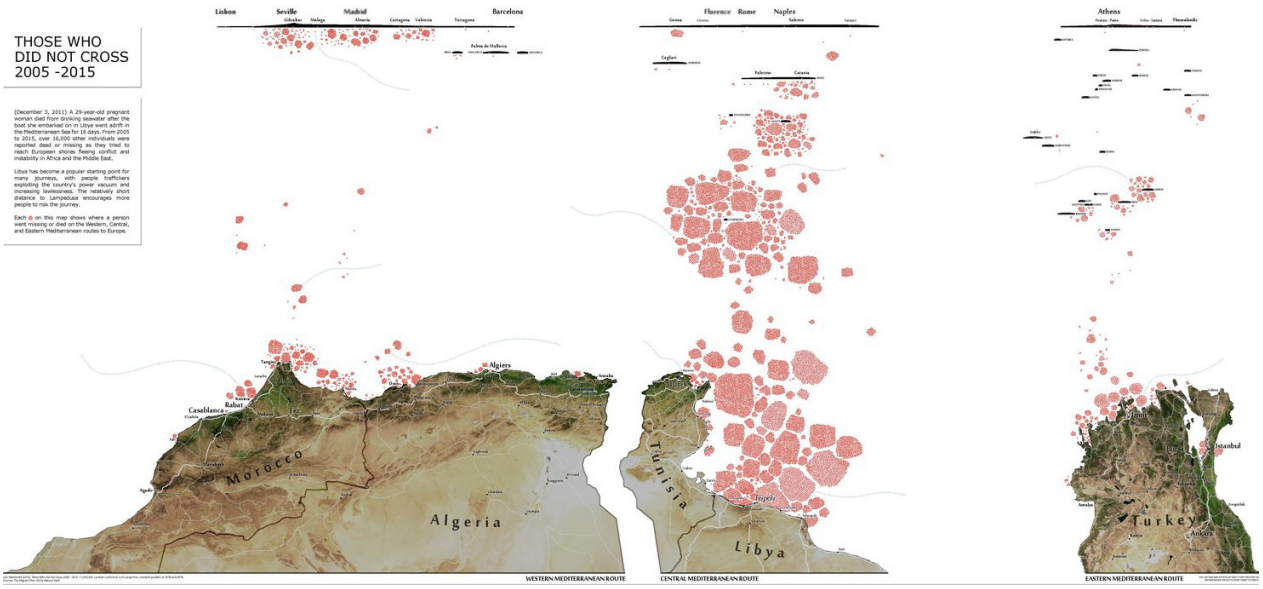

Figure 3. Levi Westerveld, *Those Who Did Not Cross 2005–2015* (https://www.visionscarto.net/those-who-did-not-cross), 2017, digital map.

maritime migration routes. For instance, one note states, "Shipwreck in Izmir on the route to the Greek island of Chios. 50 bodies recovered. 29 missing in sea," whilst another records, "Recovered off the Island of Lesbos corpses of drowned 6, including 3 children. All were wearing life vests." The scarcity of descriptors is intended to invite viewers to imagine the unrecorded circumstances of the remaining fatalities. Because it is an online image, viewers can interact with the landscape of death in a way which might engage an emotional response. Scholars have cited Westerveld's visualisation as foregrounding loss and evoking empathy (Cheshire, 2022; Gomis, 2022; Lo Presti, 2020; van Houtum, 2024).

The source material derives from The Migrants' Files, which published its first list of migrant deaths in 2014. This project combined two existing activist lists of maritime deaths: UNITED for Intercultural Action, which has collected newspaper reports of border deaths since 1993; and Fortress Europe, a blog run by Gabriele Del Grande that compiled news articles and accounts of Mediterranean deaths beginning in 1988. The Migrants' Files ceased giving updates in 2016, shortly after the IOM launched its own data collection initiative in 2014 under mounting political pressure. This initiative has since been criticised for its data collection methodologies (Heller & Pécoud, 2020; Tazzioli, 2015a). Although The Migrants' Files consolidated and verified the activist lists, Westerveld's map does not indicate the number of deaths, nor are the locations of the drownings precise. The liberties taken underscore his challenge to the foundational functions of infographics, particularly data visualisations' association with precision and objectivity.

Geographer Laura Lo Presti argues that maps of deaths in the Mediterranean expose violence: "This corroded, numerical, and dotted choreography uncovers an inhuman, unjust, but nonetheless real geography of necropower that would otherwise remain buried under the seabed" (Lo Presti, 2020). The term "necropower" derives from Achille Mbembe's concept of necropolitics, which designates the sovereign power to decide who may live and who must die (Mbembe, 2019). Nonetheless, such an exposure of necropolitical structures is not self-evident in *Those Who Did Not Cross 2005–2015*. Westerveld's map remains largely silent on the specific circumstances of death. For example, the text frames human smugglers

as the culprits whilst remaining silent on how border structures produce such an environment. This silence is also reflected in the archive on which the map is based. Ultimately, the list by The Migrants' Files records little more than the encounter of the dead with the EU's border regime. This record-keeping was crucial for tracing the EU's complacency and culpability, yet this critical dimension is largely effaced in Westerveld's visualisation, which privileges affective impact over political critique.

For comparison, map-maker and artist Nicolas Lambert used UNITED for Intercultural Action's List of Refugee Deaths and The Migrants' Files to create *The Migratory Red Mound (1993–2015)* (2015; see Figure 4). It resembles an elevation map in which deaths rise as peaks. This is one map in a series of mapping experiments Lambert has undertaken. He encountered the same lack of locational data as Westerveld, but solved this by placing the dead alongside the external EU border. The deaths visualise the walls of "Fortress Europe." Lambert shows what the numbers demonstrate: "Death by Policy" (UNITED for Intercultural Action, 2015). A longer discussion could outline how effective that visualisation is, but nonetheless, in comparison, *Those Who Did Not Cross 2005–2015* lacks a perpetrator. It represents an effort to produce humane data visualisation that renders lives "grievable" (Butler, 2016). The emphasis on mourning might also risk reducing political solidarity to sentiment (Ahmed, 2014; Berlant, 2011; Maimon, 2021). Moreover, emotions are historically mediated rather than spontaneous, and the absence of sustained outrage at deaths in the Mediterranean must be understood in relation to enduring colonial attitudes (Danewid et al., 2021). Nonetheless, none of these dynamics are made explicit in *Those Who Did Not Cross 2005–2015*.

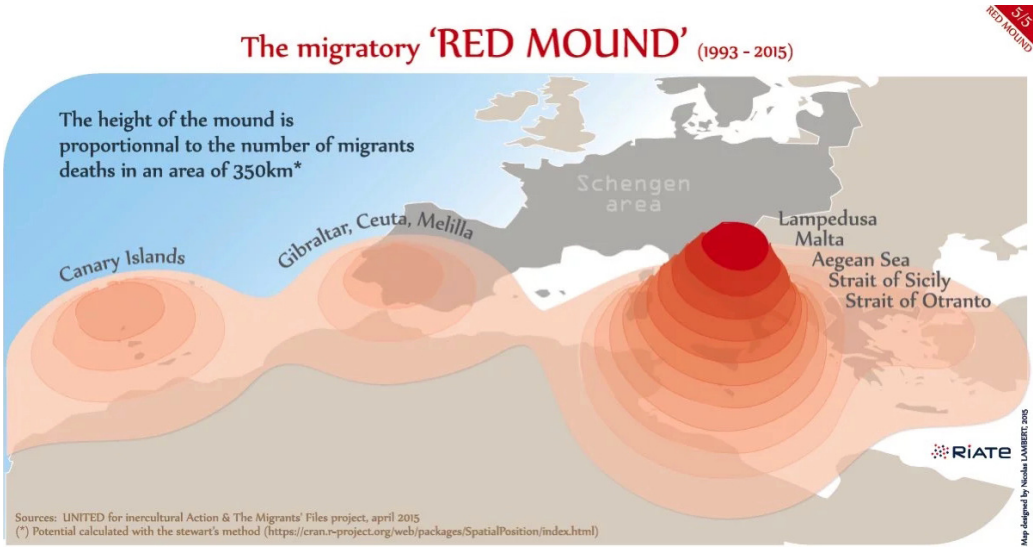

Figure 4. Nicolas Lambert, *The Migratory Red Mound (1993–2015)*, 2015, digital map.

Returning to the theoretical framework, projects such as those by Forensic Oceanography or Hilde Van Gelder foreground the systems of power that enable death at sea. By contrast, in Westerveld's map, deaths appear decontextualised without these power structures being rendered tangible. As Azoulay argues, representing certain groups as "injured populations" risks normalising disaster: "The disaster that strikes such groups is conceived as part of the routine, not as an exceptional event, and the situation is emptied of any dimension of urgency" (Azoulay, 2008, p. 34). Although emotionally affective, the map risks eliding the urgency of the crime it seeks to represent.

Unlike Van Gelder's blueprints, which mobilise disjunction as a strategy, or Forensic Oceanography's collection of evidence, Westerveld's visualisation does not invite critical analysis; it generates little conflict or dissonance. Within the discourse of rights, images may function either to assert jurisdiction by outlining culpability, or to contribute to world-building imaginaries. Westerveld's map does neither and thus falls short of constituting a rights claim or asserting the Right not to Drown.

3.2. Mapping Global Refugee Migration and Displacement (Tiffany Chung, 2015–)

The question of how a map functions as a claim becomes clearer in the next case study. In Tiffany Chung's map project, *Mapping Global Refugee Migration and Displacement* (2015–), of the 13 maps that are part of it, four depict deaths in the Mediterranean, whilst the others track conflicts, climate disasters, and displacement, collectively constructing a complex picture of why, how, and where people move. From Chung's long-term research projects, such as the *Vietnam Exodus Project* (2015–) and the detailed maps *The Syria Project: Tracking Conflict and Displacement* (2015–), Chung's oeuvre constitutes an ongoing record of displaced populations. This section's discussion focuses on two of her Mediterranean maps, which represent only a small portion of her broader project. Both maps are copies of other maps and datasets which Chung compiles. The titles function as bibliographies, and legends are often included; however, many visual indicators remain unexplained and numerical data is absent.

On *NYT, UNHCR, IOM Missing Migrants Project: Numbers of Arrivals in Europe, Dead and Missing in the Mediterranean* (2017; see Figure 5), the Mediterranean appears densely populated with colourful spots, reminiscent of organisms under a microscope. The outline of Europe, Turkey, and the northern coast of Morocco is visible on the blue map. An ornate green pattern extends across southern Italy, Greece, Spain,

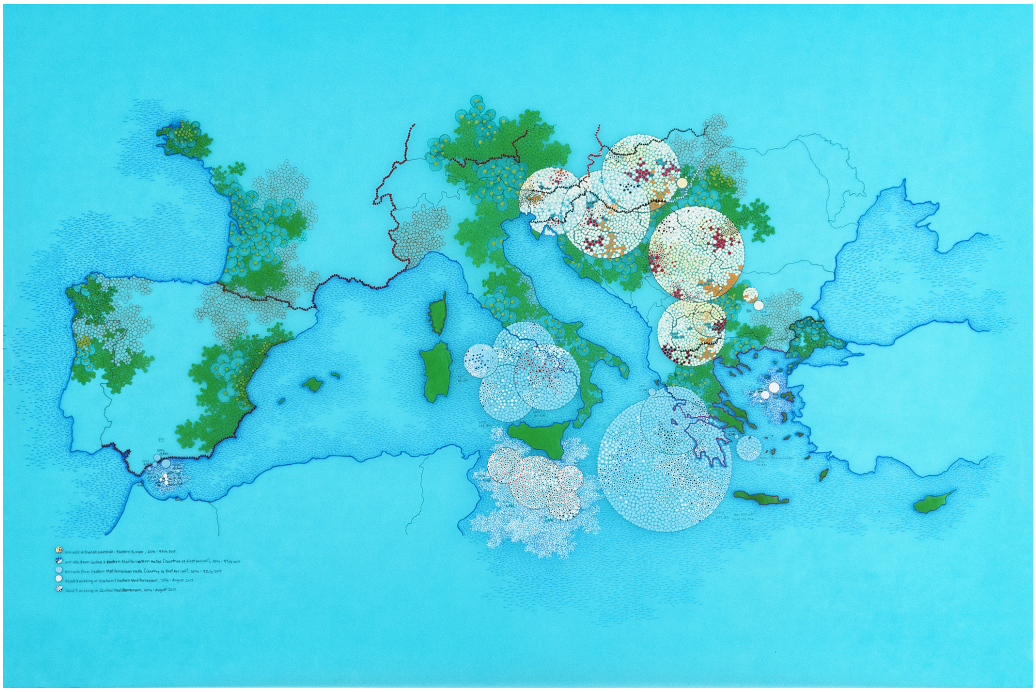

Figure 5. Tiffany Chung, *NYT, UNHCR, IOM Missing Migrants Project: Numbers of Arrivals in Europe, Dead and Missing in the Mediterranean*, 2017, ink and oil on vellum and paper, 72 × 91.6 cm.

and Portugal, marking patterns of arrivals. In eastern and southern Europe, large circles border areas perforated by small white markings. The handwritten grey legend is difficult to decipher: blue, yellow, and red dots indicate arrivals from 2014 to 2017, whilst black dots denote fatalities or missing persons.

The next map, *IOM Missing Migrants Project*, *EUROSTAT*, *FRONTEX*, *RAUL Analytics*, *ECHO: SAR Zones*, *Rescue Operations by Date*, *Numbers of Dead and Missing in the Mediterranean*, focuses on Libya's coast (Figure 6). Black lines demarcate SAR zones in international waters, whilst a green dotted line indicates the boundary of Triton, an EU Frontex-led operation. Various dots populate the waters: White circles denote fatalities and missing persons, whilst the remaining dots represent SAR operations from 2014 to 2017. The highest number of dead and missing people lies just outside of the SAR zones along Tunisia's coast. Together, the lines and dots visualise the governance of the Mediterranean and the distribution of risk and protection between 2014 and 2017.

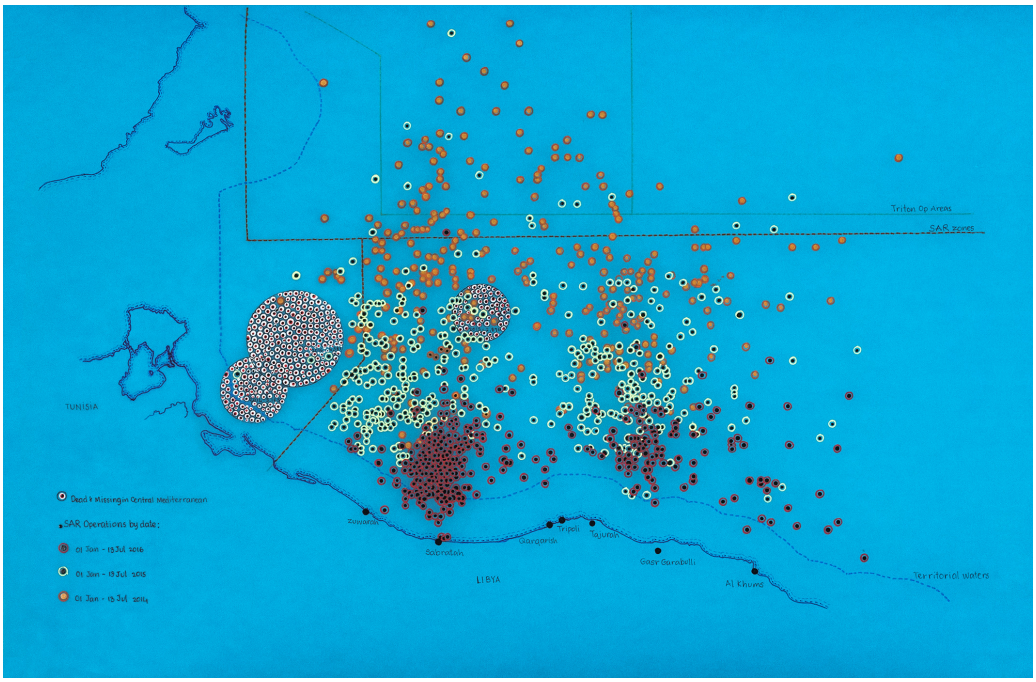

Figure 6. Tiffany Chung, *IOM Missing Migrants Project, EUROSTAT, FRONTEX, RAUL Analytics, ECHO: SAR Zones, Rescue Operations by Date, Numbers of Dead and Missing in the Mediterranean*, 2017, ink and oil on vellum and paper, 38 × 50 cm.

On *IOM Missing Migrants Project*, *EUROSTAT*, *FRONTEX*, *RAUL Analytics*, *ECHO*, the locations of rescue operations shift progressively southward each year. A *New York Times* article featuring a similar map attributes this southward movement to EU rescue efforts adapting after 2014 in order to save lives closer to Libya (Thompson & Singhvi, 2017). Bright orange dots indicate 2014 SAR operations, the final year of Mare Nostrum, an EU naval and air rescue operation which was subsequently replaced by Frontex's Triton operation with a smaller budget and a border zone located further north. With this limited border zone and only a third of Mare Nostrum's budget, Triton effectively increased the dangers of crossing ("Triton is no substitute," 2014). Green and dark red dots indicate 2015 and 2016 SAR operations, reflecting the emergence of NGO-led SAR efforts (Rodríguez Sánchez et al., 2023). Unlike the *New York Times* map, Chung also records deaths off Tunisia's coast, emphasising that people continue to cross regardless of the presence or absence of international SAR operations.

On *NYT*, *UNHCR*, *IOM Missing Migrants Project*, the dead and the living appear intermingled within the dense array of dots. The intentional confusion challenges the usual tacit legibility of a data visualisation. Chung includes a green pattern, which is unexplained in the legend, and extends across Italy and along the southern and northern coasts of France and Spain. The intricate ornamental pattern thickens around some borders and disperses on the other side. The Greek islands in the Aegean Sea are particularly green, a feature that can be read in light of the EU–Turkey deal of late 2016. The statement of cooperation between the EU and the Turkish government stipulated that anyone crossing without legal permission from Turkey to the Greek islands would be returned. It also declared that Turkey would ensure greater preventive measures. In return, Turkish nationals were promised visa-free travel within the EU; Turkey received funding to improve refugee welfare; and the EU agreed to accept one refugee for every person returned to Turkey ("Lesvos: Symbolic protest," 2017). The deal primarily affected people on the Aegean islands as Greek courts found that Turkey was not a safe country for most of the arriving individuals. Chung's colouring hints at the complex agreements that simultaneously limited the movement of one population while expanding the mobility of another.

The green pattern intersects zones of containment and deterrence implemented by state authorities. Thicker black lines denote the Turkey–Greece border, the Greece–North Macedonia border, and Hungary's border, representing fences erected during or after 2015. These barriers are shown to be ineffective as the green pattern continues to cross them. Additional enforced fences and temporary passport controls on France's and Austria's borders illustrate attempts to restrict movement within the Schengen Area. Through these visual cues, *NYT*, *UNHCR*, *IOM Missing Migrants Project* reveals policies attempting to contain movement that ultimately proved ineffective, reflecting ongoing assertions of people's right to mobility.

Chung's maps present fragments of a dynamic puzzle which resist a single authoritative reading. Chung underlines that it is about responsibility: "I want to encourage questioning, and I want to provide an entry point into the history that the audience might not have known, so that they will take on the responsibility to study the history themselves" (Sano, 2017). By combining IOM and Frontex data on deaths and crossings in ways neither organisation does, the maps critique official representations of migration while inviting new interpretation. Unexplained visual cues convey the persistent force of migration, and the bibliographical titles reference the structures of power shaping both movement and maritime fatalities. Often exhibited together, the maps could function as a "Visual Declaration of Rights," tracing how sea fatalities have been shaped by policies such as Frontex's Operation Triton and the EU–Turkey deal. While aligned with Forensic Oceanography in mapping jurisdictions, Chung resists these sources by leaving certain signs obscure and reinterpreting the data.

Using a visual language reminiscent of organic growth, the maps narrate complex and fatal journeys and challenge simplistic narratives of victimisation. Though demanding to read, they imply that migration continues despite the risk of death, asserting the Right not to Drown, or the Right to Life and Movement. Despite their ornate aesthetic, they function as what Hilde Van Gelder has termed "weak images," resisting conventional representation in favour of a nuanced and inventive imagining of otherwise (Van Gelder, 2021a, 2021b).

3.3. Nautical Charts of Sunken Boats (Mathieu Pernot, 2021)

Mathieu Pernot's book, *The Atlas of Motion* (2022), gathers together over a decade of his artworks on migration, focusing on people, their journeys, and the conditions they endure upon arrival in the EU. Several works are co-authored by people on the move and include photographs of the Moria Camp, violent Greek border crossings, makeshift refugee camps in Paris, and more. A recurring focus on the Mediterranean is evident throughout the book. For example, Marwan Sheik Albassatneh, a botanist, maps the evolution of trees across the Mediterranean and annotates pages from a botanical book with Mediterranean plants in Arabic (Figure 7), connecting shores through the movement of seeds. Pernot emphasises migration as a fundamental, universal act: "The sky, the sea, nature, people, everything is linked to the question of movement" (Boucheron et al., 2022, p. 326).

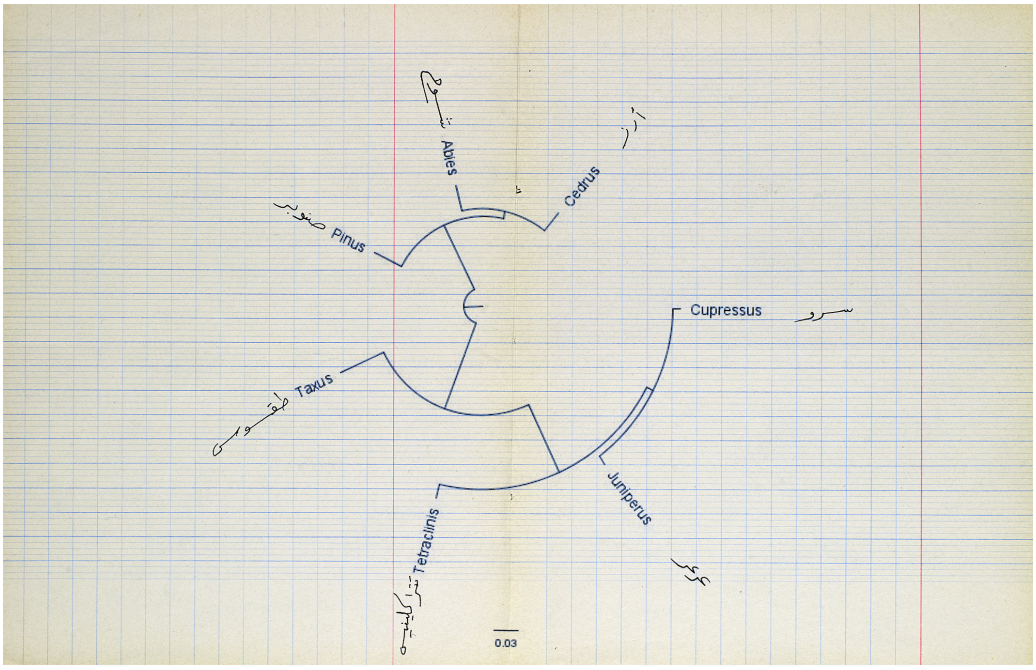

Figure 7. Mathieu Pernot, *In the Wild: Phylogenetic Trees of Mediterranean Forest Species Printed on Notebook Pages by Marwan Sheik Albassatneh*, 2018, pen on paper, dimensions unknown.

This focus on the Mediterranean is further explored in Pernot's map series, *Nautical Charts of Sunken Boats*. In *Entrée de la Méditerranée*, he transcribes newspaper records of sunken boats onto an archival chart (Figure 8), handwritten in pencil across the strait between Spain, Morocco, and Algeria, with each entry preceded by a date. Ten annotations mark locations of maritime fatalities. On another map, *Côte Septentrionale d'Afrique. Partie Comprise entre Zarzis et Tripoli*, he similarly records shipwrecks (Figure 9). I focus here on the nautical charts series to examine how it might constitute a claim to the Right not to Drown.

First, Pernot's handwritten annotations reflect the enormity of the task when he records only the shipwrecks he read about in newspapers. Second, these entries represent only a fraction of total deaths. The ambivalence and limitation of the function of the maps as data visualisation highlight the inherent difficulties of documenting Mediterranean fatalities. Pernot's method also mirrors the early ways activists tracked shipwrecks and deaths at sea, as seen in the UNITED for Intercultural Action and Fortress Europe databases, which were also based on news reports. Referred to as "counterstatistics," these methods

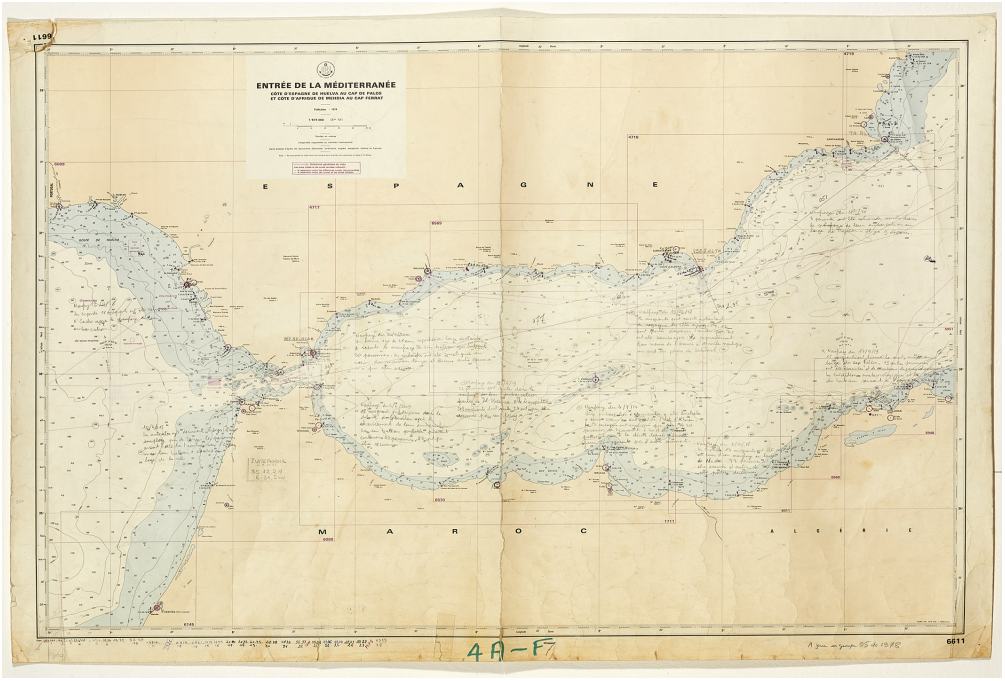

Figure 8. Mathieu Pernot, *Nautical Charts of Sunken Boats*, 2021, archival charts with pencil annotations, dimensions unknown.

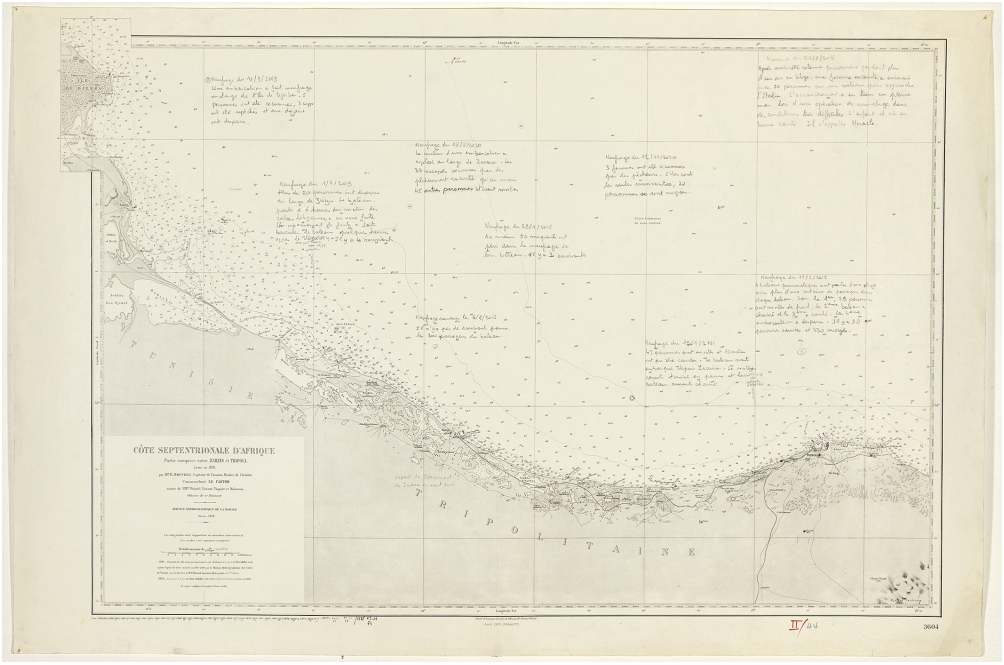

Figure 9. Mathieu Pernot, *Nautical Charts of Sunken Boats*, 2021, archival charts with pencil annotations, dimensions unknown.

critically challenged EU border policies (Heller & Pécoud, 2020). In contrast, IOM's counting reproduces early methods but lacks the same critical force. Instead, it reinforces policies condemned by human rights organisations. Consequently, counting the dead now carries "a more ambivalent political signification" (Heller & Pécoud, 2020, p. 486). The most recent of the works discussed in this article, Pernot's maps, speak

to these conflicts of counting while simultaneously reflecting on the lack of a meaningful political response to the rising death toll.

The use of archival charts is crucial. Produced by the French Naval Hydrographic Service, these charts intended to establish a state monopoly on navigational knowledge, instructing the safe pilotage of vessels (Bourgoin, 1988). Pernot's maps highlight the gulf between expert seafaring information, which could prevent the ongoing human tragedies at sea, and his handwritten annotations describing capsized boats. Moreover, the charts prioritise maritime routes over terrestrial features by omitting national borders. They were also designed to ensure the safe transport of goods and people. Pernot again underlines the difference between what the map proposes and what his annotations suggest: National borders are enforced across the Mediterranean, and they determine who can move freely and be saved in case of emergency.

Additionally, using archival charts produced in the 19th century is significant in terms of the changing moral attitudes in relation to rescue at sea. In the modern period of humanitarianism, alleviating suffering and saving lives has become a priority. In the 19th century, saving lives at sea became a matter of granting immediate aid: Where one saw a shipwreck, one was supposed to act despite the risks associated with it (Stafford et al., 2024). At the same time, that form of humanitarianism was short-lived because it overlooked the structural causes of the wrecks and the labour conditions aboard (Stafford et al., 2024). As technology improved, 20th-century maritime shipwreck aid was reduced and replaced by airborne rescue. Tazzioli describes how contemporary "rescue politics" present people on the move as "shipwrecked persons," and promote the flawed rescue missions as an adequate response to people perishing at sea (Tazzioli, 2015a). By inscribing and combining multiple moral paradigms onto such charts, Pernot's work prompts critical reflection on the historical and contemporary conditions of people in maritime distress.

Nautical Charts of Sunken Boats offers a historical backdrop to the deaths depicted and juxtaposes the development of seafaring methods with the perilous ways people are forced to travel. Most notably, Pernot's meticulous collection of facts from archival charts draws attention to how these deaths are the result of a moral paradigm, and thus underlines how they could have been prevented. In dialogue with Hilde Van Gelder's *Thirty-Three Blueprints for the Right not to Drown*, Pernot adopts a comparable strategy of disjunction and offers an invitation for reflection. They both use an existing image, be that a family photograph or a nautical chart, modifying it in relation to contemporary maritime tragedies in order to produce a rupture that calls the structural conditions of the event into question. I suggest, therefore, that Pernot's work asserts the Right not to Drown: the right to life as it applies to persons in maritime distress.

4. Discussion and Conclusion

Levi Westerveld, Tiffany Chung, and Mathieu Pernot all mobilise infographics of maritime fatalities to critique methods and purposes of counting, the institutions that produce migration data, and the moral attitudes that underpin them. They respond to different political turning points in how data on maritime deaths in the Mediterranean has been produced: from activists' databases to institutionally verified lists; from the persistent lack of political response to the rising death toll.

A comparison shows that the specific conditions and datasets they use shape their works. Westerveld presents an infographic of deaths shortly after a verified database was created. As a response, he produced

the conditions for mourning by making the scale of the disaster tangible. Chung engages with the wealth of data visualisations produced during the migration surge of 2015–2016. She documents the institutions that keep a record of migration and deaths to highlight the mass drownings as produced by systems of power. She not only reproduces the data visualisations but also combines them in alternative ways, allowing critical engagement with what the maps suggest. Pernot establishes a historical point of reference by reappropriating archival charts. His 2021 charts reflect on the continued rise in deaths, but his work has still not been met with a viable political response. He is the only one of the artists in this article's case studies to collect his own data and attribute information to every fatal event that he records. Each artist challenges statistical representations, for example, by rendering the data illegible. Only the latter two projects invite a critical engagement with the conditions that enable the drowning of people in the Mediterranean.

This article has questioned whether the artistic reworking of infographics can move beyond evocative images to constitute rights claims. In conclusion, by reimagining infographics of maritime deaths, only Chung and Pernot demonstrate how mapping can move beyond representation to articulate rights claims. Their work exposes both the politics of counting and the urgent need to rethink maps as cultural images of rights. The Right not to Drown underscores that the concern these maps raise is not merely that rising numbers should provoke moral outrage, but rather that they call for the protection of fundamental rights.

Taken together, these artistic projects reflect on how mapping has come to narrate migration data and deaths at sea. This makes it crucial to continue interrogating how maps of migration shape the narrative on the growing number of deaths in the Mediterranean. Although these works are pieces of art, they profoundly illustrate how seemingly simple combinations of various datasets can obscure perpetrators as much as they can assign culpability. This is a lesson with relevance beyond the field of art.

This article also illustrates avenues for further research. At the beginning of the article, the frameworks of counter-mapping and art history literature on the link between rights and images were combined. As of now, literature on counter-mapping mostly engages with maps that can be used in the court of law. Additionally, literature on art history on this topic has largely focused on photography. This article has placed the distinct focus of counter-mapping on the advocacy of rights in conversation with art history research on rights claims outside the legal system. Nonetheless, further research is necessary to bring the two fields into conversation with one another so that the cultural impact of maps as images of rights can be better articulated. Moreover, across their works, each artist employs point-based mapping logic to represent loss. Future research could explore the broader approaches of art history and visual culture to point-based mapping and the history of visualising maritime deaths. Ultimately, a sustained critical engagement with the maritime fatalities of people on the move is necessary to understand how this tragedy is chronicled and presented to the public. The artists' interventions provide a model and invitation for further academic engagement.

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Conflict of Interests

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