

CRIMINALISATION OF LIFE-SAVING SEA RESCUES

An explainer

Background

The Mediterranean Sea is fast becoming the world's biggest mass grave. Since 2014, over 10,000 migrants and refugees have lost their lives trying to make the perilous journey to Europe from North Africa.

The crisis intensified with the election of Italy's far right Interior Minister, Matteo Salvini, who has cooperated with Libyan militias in the forced return of people to torture camps in Libya.

In addition, over the past year there have been at least 18 documented cases of search and rescue missions being denied entry into EU ports.

Europe's inhumane border

The situation has been made worse with the increased insecurity in Libya, where there is an ongoing civil war.

Armed militias have perpetrated torture, rape and human trafficking in the warehouses and detention centres holding migrants and refugees.

Yet the EU and the Italian and French governments have continued to support the militias with money, assets and training so they can intercept people escaping Libya in full knowledge that they will commit human rights abuses.

There have been accusations from within the UN as well as a case brought to the International Criminal Court of crimes against humanity by the EU and some member states.

War and poverty

Pushed into desperation, women, men and children fleeing war, persecution and poverty are risking their lives to cross the Mediterranean in search of relative safety in Europe.

With the absence of safe and legal pathways, the crisis peaked in 2015 as wars and unrests raged across North Africa, the Middle East and sub-Saharan Africa - in some cases brought about by EU member states.

To make things worse, the EU has made deals with Turkey, Libya and other repressive regimes to crack down on migration, emboldening people smugglers and turning the Central Mediterranean into the principle and most dangerous route for desperate migrants.

Since 2014, **10 723** died
in the Mediterranean

IN 2019
682 DEATHS
RECORDED SO FAR



Source: International Organization for Migration
Map by FreeVectorMaps.com

What our MEPs says



Miguel Urbán
(Podemos, Spain):

“The EU and its member states must choose between saving lives or being complicit for the deaths of thousands at sea. The xenophobic right-wingers and the extreme neoliberals are destroying a Europe for its people. To prevent more deaths, we must stop the criminalisation of life-saving NGOs. Further, we urgently need a civil search and rescue system in the Mediterranean that complies with international law.”

Sea Rescue is not a crime!

With no proper EU mechanism in place to enforce action, and with Italy introducing laws banning the search and rescue of migrants, the onerous task of saving lives in the Mediterranean has fallen upon humanitarian organisations and NGOs like Germany's Sea-Watch, Lifeline and Sea-eye, Spain's Proactiva Open Arms, France's SOS Méditerranée and MSF, and Malta's Migrant Offshore Aid Station (MOAS).

With the help of volunteers in second-hand vessels, NGOs have saved thousands of lives day and night, operating in treacherous conditions.

NGOs have had to battle against Libyan militias posing as coastguards, and people smugglers, and being accused of people trafficking. The EU has prevented FRONTEX, its border agency, from being close to distress cases and supported the criminalisation of NGO boats.

The view of the Left

More than 150 people have faced prosecution in the EU for helping migrants since 2015, including recent high profile cases involving Pia Klemp, Claus-Peter Reisch and more recently, Carola Rackete.

Search and rescue NGOs Proactiva Open Arms and Sea-Watch have put forward three proposals to reverse the EU's inhumane approach - demands that we support:

1. Stop criminalising humanitarian NGOs

From impounding vessels for dubious reasons like unlawful waste disposal, to imposing administrative deadlocks such as registration issues, the criminalisation of NGOs by states is a direct threat to their crucial work. Some authorities have even withdrawn flags and randomly slapped criminal charges on crew members. These dirty tricks that member states have been using are a scandalous impediment to the urgent need to save lives at sea.

2. People's lives above politics

By actively trying to prevent people from reaching Europe, member states like Italy are breaking EU and international law in which the duty to save life at sea is unambiguous. The EU must provide safe and legal pathways to Europe and reform its asylum legislation based on solidarity and respect for human rights.

3. Implement an effective European rescue programme

The EU must establish an effective, coherent and transparent approach to sea rescue that is compliant with international maritime and human rights law. Abandoning migrants and refugees in Libya (or third countries) must be outlawed. NGOs also want the EU to establish a rescue programme that ensures survivors can disembark promptly and in the nearest EU safe harbour. The ports must remain open, and member states need to acknowledge their humanitarian and legal responsibilities rather than shifting them to the countries of departure and transit.