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*Plenary sitting*

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**B9-0131/2019**

21.10.2019

## **MOTION FOR A RESOLUTION**

further to Questions for Oral Answer B9-0052/2019 and B9-0053/2019

pursuant to Rule 136(5) of the Rules of Procedure

on search and rescue in the Mediterranean  
(2019/2755(RSP))

**Annalisa Tardino, Tom Vandendriessche**  
on behalf of the ID Group

**B9-0131/2019**

**European Parliament resolution on search and rescue in the Mediterranean  
(2019/2755(RSP))**

*The European Parliament,*

- having regard to the United Nations Geneva Convention of 1951, the Convention on the Law of the Sea of 1982 (UNCLOS), the International Convention for the Safety of Life at Sea of 1974 (SOLAS), and the International Convention on Maritime Search and Rescue of 1979 (SAR),
  - having regard to the Global Compact for Safe, Orderly and Regular Migration of 2018,
  - having regard to Council Directive 2002/90/EC of 28 November 2002 defining the facilitation of unauthorised entry, transit and residence<sup>1</sup> (Facilitation Directive),
  - having regard to Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals<sup>2</sup>(Return Directive),
  - having regard to the hearing on search and rescue in the Mediterranean held by the Committee on Civil Liberties, Justice and Home Affairs on 3 October 2019,
  - having regard to the questions to the Council (O-000024/19 – B9-0052/2019) and the Commission (O-000025/19 – B9-0053/2019) on search and rescue in the Mediterranean,
  - having regard to Rules 136(5) and 132(2) of its Rules of Procedure,
- A. whereas Europe has experienced an unprecedented migration crisis over the past 5 years, which is still ongoing;
- B. whereas the Mediterranean has become a preferred route for migrants crossing into Europe from Africa and other parts of the world;
- C. whereas assisting illegal migrants in crossing the Mediterranean can amount to people smuggling, which is a serious crime;
- D. whereas certain NGO vessels are conducting search and rescue operations in the Mediterranean without coordinating with the relevant coordination centres established under the International Convention on Maritime Search and Rescue;
- E. whereas unseaworthy vessels are putting lives at risk, causing not only fatalities but also disruption to merchant vessels in the Mediterranean;

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<sup>1</sup> OJ L 328, 5.12.2002, p. 17.

<sup>2</sup> OJ L 348, 24.12.2008, p. 98.

- F. whereas coastal Member States and Member States with an external border are left to face the outcomes of Angela Merkel's open door policy;
1. Recognises that Member States must be allowed to reintroduce internal borders, if necessary, to guarantee the internal security of the European Union and its Member States;
  2. Stresses that the captains and crew of NGO vessels should refrain from facilitating migrant smuggling under the guise of search and rescue activities, as it is a criminal offence; stresses, moreover, that they must follow the instructions issued by search and rescue coordination centres and respect the national law of Member States;
  3. Calls on the Commission to monitor and investigate the search and rescue activities of NGOs operational in the Mediterranean, specifically those funded by the EU; requests that Member States take measures to prevent NGOs from becoming a taxi service for illegal migrants, as this creates a pull factor which puts more lives at risk;
  4. Confirms that Frontex can only carry out search and rescue operations if requested to do so by a Member State, as such operations are a Member State competence; notes that Frontex is not permitted to return migrants to Libya, but that the same does not apply to NGOs operating in the Mediterranean;
  5. Notes the political failure of the temporary 'Malta deal' for the disembarkation and relocation of migrants rescued in the central Mediterranean; recalls the need for a long-term approach in close cooperation with third countries, especially the countries of origin of immigrants, that replaces the existing framework and ineffective ad hoc solutions;
  6. Reaffirms that illegal migrants who have not been granted asylum should be returned to their country of origin as soon as reasonably possible; urges Member States and the EU to initiate programmes for acceptable conditions in reception centres in third countries;
  7. Calls on the Member States to balance the rights of migrants with the rights of EU citizens and to protect the European way of life when deciding whether or not to grant residence or asylum rights to migrants from third countries; calls on Member States to reaffirm the limited protection granted to persecuted persons under international law and to reiterate that economic migrants do not qualify for this protection;
  8. Notes that Europe should not be seen as catchall for economic opportunists from Africa or prospectors from other regions around the world;
  9. Opposes the creation of more legal pathways for migration and rejects in the strongest terms the provisions of the Global Compact for Safe, Orderly and Regular Migration of 2018;
  10. Instructs its President to forward this resolution to the Commission, the Council, the governments and parliaments of the Member States, Frontex, the European Asylum Support Office and Europol.