



Plenary sitting

B9-0340/2023

10.7.2023

MOTION FOR A RESOLUTION

to wind up the debate on the statements by the Council and the Commission

pursuant to Rule 132(2) of the Rules of Procedure

on the need for EU action on search and rescue in the Mediterranean
(2023/2787(RSP))

Jorge Buxadé Villalba
on behalf of the ECR Group
Kinga Gál

**European Parliament resolution on the need for EU action on search and rescue in the Mediterranean
(2023/2787(RSP))**

The European Parliament,

- having regard to the Universal Declaration of Human Rights of 1948,
 - having regard to the Geneva Conventions of 1951 and the additional protocols thereto,
 - having regard to the International Convention on Maritime Search and Rescue ,
 - having regard to the United Nations Convention on the Law of the Sea,
 - having regard to Council framework Decision of 28 November 2002/946/JHA on the strengthening of the penal framework to prevent the facilitation of unauthorised entry, transit and residence¹,
 - having regard to Council Directive 2002/90/EC of 28 November 2002 defining the facilitation of unauthorised entry, transit and residence² (Facilitation Directive),
 - having regard to Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA³,
 - having regard to the European Council conclusions on migration of 28 June 2018,
 - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas, according to the International Organisation for Migration (IOM), 441 immigrants died in the Mediterranean while attempting to illegally cross the EU's external borders in the first three months of 2023; whereas in 2022 the number of deaths in the Mediterranean totalled 2 257;
- B. whereas, according to the IOM, nearly 3 800 people died on migration routes within and from the Middle East and North Africa regions in 2022;
- C. whereas migrant smuggling and human trafficking are highly profitable and well-established businesses due to the lack of third country cooperation and of political action at EU level;
- D. whereas providing assistance to any persons found in distress at sea is a legal obligation established in customary international law and conventional law;

¹ OJ L 328, 5.12.2002, p. 1.

² OJ L 328, 5.12.2002, p. 17.

³ OJ L 101, 15.4.2011, p. 1.

- E. whereas helping non-EU nationals to illegally enter, transit through or reside in an EU country is against the law; whereas colluding with human traffickers and migrant smugglers to arrange pick-ups is a breach of the Facilitation Directive and should be punishable by law; whereas these actions create a pull factor and ultimately cause more deaths on all migration routes;
- F. whereas in order to fight against the business model of human traffickers and migrant smugglers and foster better cooperation between Member States and the institutional actors involved in search and rescue operations, some Member States are taking action, inter alia, by adopting codes of conduct for non-governmental organisations;
- G. whereas Member States' coast guards have rescued thousands of immigrants in distress in the Mediterranean in recent years;
- H. whereas many measures have proven effective in avoiding the creation of pull factors, such as regional disembarkation platforms where applications for asylum and international protection can be assessed in an efficient, dignified and humane way, and where asylum seekers can be safely received; whereas in its conclusions of 28 June 2018 the European Council called on the Council and the Commission to swiftly explore the concept of regional disembarkation platforms, in close cooperation with relevant third countries as well as the UN High Commissioner for Refugees and the IOM; whereas the lack of political will to implement meaningful measures has led to a growing pull factor and massive numbers of deaths on both the Mediterranean and Atlantic routes;
1. Deeply regrets the tragic loss of lives in the Mediterranean and on every other migratory route; urges the European Union and the Member States to agree on a new set of rules to put an end to the business model of human traffickers and migrant smugglers;
 2. Underlines that search and rescue operations and the duty to render assistance are obligations under international law; commends in this regard the outstanding work carried out by the Member States' coast guards to save lives and ensure the safety and protection of the EU's external borders;
 3. Stresses that the New Pact on Asylum and Migration needs meaningful changes aiming at preventing illegal immigration and combating human trafficking and migrant smuggling; welcomes, in this regard, the initiatives taken by some Member States to more robustly address the external dimension of migration, inter alia, through cooperation with third countries to effectively prevent illegal immigration and combat migrant smuggling and trafficking in human beings;
 4. Calls on the Commission to put forward proposals to make funding to third countries conditional on cooperation on the management of migration flows and the fight against human traffickers and migrant smugglers;
 5. Calls on the Commission to assess the possibility of establishing regional disembarkation platforms, where applications for asylum and international protection should be assessed, in order to do away with any incentive to embark on deadly sea journeys; calls on the Commission to submit proposals on this as soon as possible;

6. Condemns in the strongest possible terms any collaboration with human traffickers and migrant smugglers that facilitates illegal immigration, including by promoting, directing, organising, financing or carrying out dangerous journeys using private vessels, thereby increasing the pull factor and ultimately causing more deaths at sea;
7. Considers that only adequate prevention of primary movements by illegal immigrants can have a decisive impact on limiting their secondary movements;
8. Instructs its President to forward this resolution to the Commission, the Council, the Member States and their national parliaments.