



VOICE KEY HIGHLIGHTS

THE MEDITERRANEAN SEA: A NEGLECTED HUMANITARIAN CRISIS?

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The Mediterranean Sea: an Unfolding Crisis

This paper is a summary of the main ideas discussed during the event and does not necessarily reflect the speakers' or the VOICE network's opinions.

2023 was the deadliest year on record for migrants. Nearly 60 per cent of deaths were linked to drowning. The Mediterranean crossing continues to be the deadliest route for migrants, with at least 3,129 deaths and disappearances in 2023, according to the Missing Migrants Project of the International Organization for Migration (IOM). This is the highest death toll on record in the Mediterranean since 2017. So far in 2024, the trends are just as alarming. To add to the complexity, there are different challenges inherent to collecting data on missing migrants, and unique obstacles to achieving a full coverage of migrant deaths in the Mediterranean.

The international community response to this tragedy has evolved throughout recent years, as highlighted by Sergio Cecchini, Humanitarian Representative to the EU and NATO of MSF, in its introductory remarks. In October 2013, following the tragic drowning of over 360 people off the coast of Lampedusa Island, the Italian government launched the Mare Nostrum sea rescue mission, which ended only a year later.

In 2015, European citizens took it upon themselves to organise unique search and rescue (SAR) operations in response to a lack of governmental response. By coordinating with the Italian Maritime Rescue and Coordination Centre (MRCC) and Coast Guard, this spontaneous civil society response operating under international law served as a positive wake-up call in the face of European states' inaction. However, migrants and civil society organisations became targets of violent smear campaigns, misleading reports, deplorable political statements, and judicial actions accusing NGOs of acting as a pull factor or colluding with smugglers. These statements and accusations have since been discredited and dismissed, nevertheless, more restrictive policies and practices have been adopted to gradually reduce the capacity for humanitarian organisations to conduct sea rescue operations.

This report delves into these controversial themes, drawing insights from the panel of experts who convened at the VOICE event 'The Mediterranean Sea: a neglected humanitarian crisis?' in June 2024 in Brussels to open the debate on the Mediterranean Sea as a humanitarian space or a migration space. It aims to explore the collaboration between SAR NGOs in the Mediterranean Sea and the broader humanitarian sector, reflecting on the linkages between the criminalisation of SAR NGOs and the lack of institutional funding and recognition.

Opening remarks:

- Sergio Cecchini, Humanitarian Representative to the EU and NATO of Médecins Sans Frontières (MSF)

Panel speakers:

- Sophie Beau, Co-founder and General Director of SOS MEDITERRANEE
- Giuseppe Caccia, Founder of Mediterranea Saving Humans (MSH)
- Vincent Cochetel, Special Envoy for the Western & Central Mediterranean situation of UNHCR
- Helena Ranchal, Director of International Operations of Médecins du Monde (MdM) France

Moderator:

- Maria Groenewald, VOICE Director

Closing remarks:

- Dominic Crowley, VOICE President until June 2024 and Emergency Director at Concern Worldwide

Drowning in Neglect: Recognising the Mediterranean as a Humanitarian Crisis

The applicability of fundamental humanitarian principles at European borders and the definition of the Mediterranean crisis as a neglected humanitarian crisis were at the core of the first round of discussion. Participants were invited to share their opinions on whether SAR NGOs in the Mediterranean Sea should be considered by all means as humanitarian NGOs.

Sophie Beau, Co-founder and General Director of SOS MEDITERRANEE, highlighted the severity of the crisis in the Mediterranean Sea, noting thousands of deaths and a lack of proper recognition and response from states. She emphasised the necessity of defining it as a humanitarian crisis, which would enable it to secure funding and effective action. Despite legal frameworks mandating SAR operations, coordination failures and political reluctance hinder efforts, resulting in preventable deaths. In line with this, the importance of recognising SAR NGOs as humanitarian actors, rather than politically motivated activists, was stressed. According to Sophie, this recognition would ensure that their vital work in saving lives and providing protection is supported and not disqualified.

The element of neglect in this crisis was stressed by Giuseppe Caccia, Founder of Mediterranea Saving Humans (MSH), who blames the European Union's migration policies and the lack of safe, legal entry channels. The situation has worsened since 2015 due to the externalisation of border management, including subcontracting border control to third-party countries like Tunisia and Libya. Such policies have led to the criminalisation of humanitarian efforts and the dismantling of the international legal framework for SAR operations, like the 1979 International Convention on Maritime Search and Rescue. An overview of the Italian context was offered, shedding light on recent legal measures that penalise rescue operations, aiming to prevent documentation and exposure of these humanitarian violations in the Sea. This strategy seeks to obscure the crisis rather than address it effectively.



Drowning in Neglect: Recognising the Mediterranean as a Humanitarian Crisis

The humanitarian nature of the crisis was confirmed by Helena Ranchal, Director of International Operations of Médecins du Monde (MdM) France. However, she affirmed that the solution is political rather than humanitarian as this phenomenon is exacerbated by political decisions. She spotted light on the lack of safe spaces for migrants that are intercepted at sea and returned to countries where they face severe human rights abuses. A strong call was made for the recognition of NGOs as international humanitarian actors that intervene in the Mediterranean Sea. In this context, overlapping legal frameworks, including humanitarian, international, refugee and maritime law, complicate effective action.

Vincent Cochetel, Special Envoy for the Western & Central Mediterranean situation of UNHCR, highlighted the unequal attention given to different maritime corridors, such as the Red Sea and the Caribbean, where similar humanitarian crises unfold but receive less international focus compared to the Mediterranean. Attention was directed to the role of military and commercial actors at sea, that need to be held accountable as well. Vincent stated that the Mediterranean Sea is the most cruised by military vessels, nevertheless, there has been only four rescue incidents in which military actors were involved and all led to forcibly returns to Libya. He underscored the politicisation of SAR NGO operations by some European states, using their presence to justify reduced EU missions while failing to address systemic issues like refugee protection in North African countries and by ignoring the small capacity to save lives SAR NGOs offer. Vincent joined the call for the recognition of the crisis as a humanitarian issue. He pointed out that it should not be defined just as a European crisis caused by European states, but rather as a Mediterranean problem, as North African countries have rescue at sea and refugee protection obligations as well and should be involved.



Rescue, Advocacy, and Collaboration: Strengthening Humanitarian Ties in the Mediterranean Sea

The second round of questions focused on exploring the collaboration between SAR NGOs in the Mediterranean Sea and the wider humanitarian sector. Attention was drawn to the positive and negative impacts of existing and potential partnerships between SAR NGOs and institutionally recognised humanitarian NGOs and actors. The panellists were asked about the role of European Humanitarian NGOs and other humanitarian actors in claiming their operational legitimacy in the Mediterranean Sea.

Helena Ranchal highlighted MdM's long history of responding to humanitarian crises at sea, starting in 1978 with a rescue operation in the China Sea. She mentioned current partnerships in the Mediterranean with SOS MEDITERRANEE, MdM Italy, and ResQ, as well as collaborations with SAR organisations in other regions. She stressed the importance of political will in addressing these issues, suggesting that SAR should stand for Search, Advocacy, and Rescue. Helena underscored that NGOs play a crucial but limited role in SAR operations, covering less than 10% of rescues. She called for increased political action and better organisation, noting that while NGOs are not the ultimate solution, they provide essential support by filling the gap left by states.

The ultimate goal should be to overcome the need for SAR NGOs, explained Giuseppe Caccia. Reflecting on the start of MSH activity in October 2018, during the "close the harbours" campaign of the former Italian Interior Minister Matteo Salvini, he witnessed the scarcity of active ships due to confiscations and restrictions to operations. Currently, the concept and the practice of a "Civil Fleet" (meaning the SAR fleet of European civil society organisations) is becoming an actual reality, fostering solidarity and cooperation among NGOs. Approximately 16 different organisations are engaged in operational coordination in the Mediterranean Sea, sharing resources, and joint advocacy efforts. This includes strategic legal actions to influence European migration policies. He highlighted the importance of addressing the entire migration process, from countries of origin, across the North-African shores to European reception systems. He called for organisations like UNHCR and IOM to commit to improving conditions for refugees in North Africa, particularly in Libya and Tunisia, and to support evacuation operations from these regions. Giuseppe stressed the need to expand humanitarian corridors and enhance cooperation among responsible entities.



Rescue, Advocacy, and Collaboration: Strengthening Humanitarian Ties in the Mediterranean Sea

Vincent Cochetel asserted that there is ongoing cooperation among UNHCR and SAR NGOs, including sharing information and coordinating efforts. Reacting to previous speakers, he pointed out the challenge of taking public positions on certain issues due to political constraints, despite NGOs' willingness to do so. He emphasised the critical need for NGOs to continue their work in tracking and rescuing migrants, especially given the increasing disappearances and detentions of migrants and refugees in North Africa. Additionally, Vincent described the potential of making efforts to engage with shipping companies to ensure proper rescue operations and to address instances where ships were instructed not to rescue migrants and refugees. He stated the importance of monitoring the conduct of military ships in relation to SAR obligations and stressed the necessity of continued dialogue and accountability among all actors involved. The future of these efforts, however, remains uncertain due to resource constraints and evolving political dynamics.

Finally, Sophie Beau presented her perspective outlining her organisation's evolution since they started operations in 2016, featuring key partnerships with organisations like MdM, MSF and the International Federation of Red Cross (IFRC), crucial for both operational and financial support in maritime SAR efforts. She mentioned the significant operational costs involved for a SAR ship to operate, which is approximately 24,000 euros per day due to high fuel prices, underscoring the financial challenges and the ongoing institutional support needed. Advocacy was defined as pivotal, noting the importance of legitimising humanitarian efforts at sea. Looking ahead, she called for broader recognition of the sea as a humanitarian space, which is essential given the increasing migration due to climate change and escalating humanitarian crises. Sophie urged for collaboration, funding, and sharing of expertise among humanitarian actors to sustain and expand those life-saving operations effectively.



From Criminalisation to Recognition: The Push for Institutional Support of SAR NGOs

The last part of the discussion revolved around the linkages between the criminalisation of SAR NGOs in the Mediterranean Sea and the lack of institutional funding and recognition. The possibility of recognising SAR NGOs as humanitarian NGOs was explored, to make them eligible for institutional humanitarian funding as well as the inclusion of the Mediterranean Sea in institutional humanitarian response plans. Several ideas and potential solutions were shared by the panellists. For example, Vincent Cochetel stressed the importance of developing a UN OCHA Humanitarian Response Plan (HRP) for the Mediterranean Sea, drawing comparisons to historical responses like the Comprehensive Plan of Action for Southeast Asian refugees. He acknowledged that it would probably not have an immediate impact on the situation, but it would be a powerful symbolic step that would attract some attention from the international community.

Beyond the HRP, Vincent proposed establishing a trust fund to cover operational costs for commercial and NGO ships engaged in rescue operations, aiming to leverage corporate social responsibility and reputational risks among major shipping companies. He encourages collaboration across sectors to address humanitarian crises at sea effectively, underscoring the role of NGOs and the potential for collective action to drive meaningful change.

Sophie Beau agreed on the importance of collective responsibility among various actors in addressing humanitarian challenges at sea. She acknowledged the complexities of coordinating efforts with multiple stakeholders but stressed the necessity of institutional support and recognition for SAR NGOs. She underlined the critical role of funding in sustaining operations and combating discrimination faced by NGOs engaged in SAR missions. Sophie highlighted the political dimensions involved in securing support and recognition, asserting that the acknowledgement as humanitarian actors is pivotal in fostering effective responses and mitigating obstacles.



From Criminalisation to Recognition: The Push for Institutional Support of SAR NGOs

Along the same lines, Giuseppe Caccia reiterated the link between the absence of institutional funding and recognition and the criminalisation of SAR NGO activities. These actors often face multiple investigations, including accusations of aiding illegal migration. These legal battles have triggered negative press campaigns, funding difficulties, and strained relationships with partners. Institutional recognition, enhanced cooperation with other NGOs, and advocacy at the European level are essential to counteract these challenges effectively.

Complementing these points of view, Helena Ranchal underlined that money is not the problem as the European Union's financial support for Tunisia in the past months amounted to millions of euros for training and vessels involved in border control. She emphasised that the creation of a humanitarian budget line for the Mediterranean Sea would entail a strong symbolic impact.

In his closing remarks, Dominic Crowley, VOICE President until June 2024, and Emergency Director at Concern Worldwide, depicted the Mediterranean crisis as a result of deliberate choices to neglect and inadequately fund the response. He described the criminalisation of NGOs and ship captains as a "bullying tactic" that forces them to choose between rescuing migrants and violating international law. Dominic condemned the demonisation of aid workers and the criminalisation of the very essence of migration, in light of the rise of far-right politics in Europe.



Key Recommendations:

1. Define, recognise and treat the Mediterranean crisis as a humanitarian crisis. This would enable securing funding and effective action. Despite legal frameworks mandating SAR operations, coordination failures and political reluctance hinder efforts, resulting in preventable deaths.
2. Recognise SAR NGOs as humanitarian NGOs. SAR NGOs should be considered by all means as humanitarian actors rather than politically motivated activists. This is essential to ensure that their vital work in saving lives and providing protection is supported and not disqualified. These actors intervene in a very complex legal context where overlapping frameworks, including humanitarian, international, refugee and maritime law, complicate effective action.
3. Create an enabling environment for SAR NGOs in the Mediterranean Sea and prevent their criminalisation. This crisis has worsened since 2015 due to the EU's externalisation of border management, subcontracting border control to third-party countries. Such policies have led to the criminalisation of humanitarian efforts and the dismantling of international legal frameworks. SAR NGOs' activities are crucial: they not only save lives at sea but also document violations of human rights that would otherwise go unseen.
4. Humanitarian actors, including SAR NGOs, humanitarian NGOs and international organisations, should enhance collaboration at different levels:
 - a. At the political level, advocating jointly for increased political will in addressing this crisis. The acronym SAR should stand for Search, Advocacy, and Rescue. NGOs are not the ultimate solution, they play a pivotal but also limited role in search and rescue operations, covering less than 10% of rescues.
 - b. At the operational level, sharing funding, expertise and objectives.
5. Develop a UN OCHA Humanitarian Response Plan (HRP) for the Mediterranean Sea. This would have a symbolic impact in increasing the recognition of the crisis as a humanitarian one. Furthermore, it would secure support and recognition for SAR NGOs, which is key in preventing their criminalisation.
6. Think out of the box in terms of funding, making commercial actors part of the solution. One possible solution could be to establish a trust fund to cover operational costs for commercial ships engaged in rescue operations, aiming to leverage corporate social responsibility and reputational risks among major shipping companies.
7. Spotlight on the entire migration process, including countries of origin, asylum, transit and destination. Governments and international organisations like UNHCR and IOM should commit to improving migrants' conditions in North Africa, particularly in Libya and Tunisia, and to support evacuation operations from these regions. There is a need for concrete protection responses, expansion of humanitarian corridors and safe pathways for migrants and refugees.

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