



RESOLUTION:

Migration crisis: promoting cooperation between Member States and non-state actors

Adopted at the YEPP Council Meeting in Milan, 17.02.2018

Recognizing that:

- Non-governmental organisations (NGOs) have become main actors in the social field, particularly in the fight against poverty and social exclusion.
- Some NGOs' work was crucial during the first waves of the migration crisis providing immediate assistance.
- The initial EU budget of the European Civil Protection and Humanitarian Aid Operations - ECHO, as programmed in the EU's Multi-Annual Financial Framework (MFF) 2014-2020, amounts to approximately €1 billion per year. The European Commission provides humanitarian funding worldwide to over 200 partner organisations which implement relief actions on the ground, including non-governmental organisations.

Acknowledging that:

- 90% of the migration flow in the Mediterranean Sea came from the Sub-Saharan Africa and the main push factor is the extremely poor economic condition of the people in their origin-countries. Their main goals are to improve their life conditions in Europe and obtain family reunification.
- The migration flow has never been so high in the Mediterranean area, with 181.459 migrants, 18% more than last year. From 2014 the number of the missions in the Mediterranean Sea has passed 100.000. This increase indicates that the route has a persistent pressure because the migrants arrive from Libya, the main country of departure toward Europe, with a permanent presence of smuggling networks. The number of the victims is increasing despite the Italian operational efforts, but the NGOs' operations come closer and closer - if not within - the Libyan territorial waters.
- Until May 2016 Search and Rescue (SAR) operations were mainly carried out by the Italian law enforcement agency, the EUNAVFOR Med or Frontex navy and less than 5% of the

cases were involvement from NGOs' navy. From June 2016 the procedure changed: the satellite phone calls toward MRCC Rome (Maritime Rescue Co-ordination Centres) drastically decreased to 10% and the NGOs' rescue operations increased to more than 40% of all rescues, making it impossible to check the origins of migrants or their smuggling routes.

- Fabrice Leggeri, Head of Frontex called for rescue operations to be re-evaluated, because of NGOs ineffectively cooperating with security agencies against human traffickers.
- The 2017 Annual Risk Analysis of Frontex¹, according to the Italian investigations about the NGOs' activities in the Mediterranean Sea, says: "a significant number of boats were intercepted or rescued by NGO vessels without any prior distress call and without official information as to the rescue location."
- It also states: "Libyan-based smugglers, in particular, heavily relied on the International Convention for the Safety of Life at Sea (SOLAS), and associated SAR as well as humanitarian assistance efforts, turning it into a distinct tactical advantage."
- The NGOs' presence and the activity near the 12 miles of the Libyan territorial waters almost doubled in 2017 compared with the previous year, for a total of 15 NGOs' assets, increasing the number of rescues. As a result, many NGOs involved were actively participating in the human trafficking process allegedly.
- Large areas in the Libyan Sea are not under the responsibility of any specific SAR organisation, as Libya and Tunisia have not accepted it formally. As a consequence, the first MRCC receiving notice of people in danger at sea have to answer the call. The State intervening has the obligation to assist the people in danger, granting medical assistance and transferring them to a safe location.
- Due to a lack of cooperation from the NGOs' side the Italian government implemented new rules for NGOs that rescued migrants wishing to enter its ports.

YEPP calls on:

- The various NGOs involved in the migration crisis to cooperate with all Member States' governments.
- The European Commission and the Parliament's Committee on Budgetary Control to create a common code of conduct in accordance with the EU human rights charta and together with Member States, for NGOs operating in the field of migration, in order to ensure that human trafficking and human smuggling are prevented.
- The European Commission to draw up a special report on the transparency of EU funding for NGOs, aiming at cutting public funds to NGOs not complying to the new EU code of conduct.
- The European Anti-Fraud Office (OLAF) to obtain information about the fiscal misconduct of individual NGOs involved in the Mediterranean rescue activities.

¹ http://frontex.europa.eu/assets/Publications/Risk_Analysis/Annual_Risk_Analysis_2017.pdf (last download: 2018.01.15.)