



Resolution 2229 (2018)¹

International obligations of Council of Europe member States to protect life at sea

Parliamentary Assembly

1. The Parliamentary Assembly recalls its [Resolution 1872 \(2012\)](#) “Lives lost in the Mediterranean Sea: who is responsible?”, [Resolution 1999 \(2014\)](#) “The ‘left-to-die boat’: actions and reactions”, [Resolution 2000 \(2014\)](#) on the large-scale arrival of mixed migratory flows on Italian shores, [Resolution 2050 \(2015\)](#) “The human tragedy in the Mediterranean: immediate action needed”, [Resolution 2072 \(2015\)](#) “After Dublin – the urgent need for a real European asylum system” and [Resolution 2088 \(2016\)](#) “The Mediterranean Sea: a front door to irregular migration”. The Assembly is alarmed by the fact that coastal member States are refusing entry to their ports to foreign vessels that have passengers rescued at sea on board.
2. The Assembly is appalled by the high numbers of asylum seekers who have lost their lives in the Mediterranean Sea while trying desperately to reach Europe on makeshift boats. It calls on member States to respect their international obligations and co-ordinate their efforts to protect human life at sea.
3. Saving lives at sea, and on land, is a moral as well as legal obligation for member States, as set out in legal provisions which serve to regulate the implementation of the fundamental duty to respect human rights, including the right to life. The Assembly calls on member States to duly take account of this duty in all their action.
4. While emphasising that European States are not directly responsible for causing today’s substantial migration flows, the Assembly points out that the closure of borders puts asylum seekers in even more life-threatening situations, as journeys become longer and the routes are more dangerous. The European Union’s increasing focus on border security, and its increasing demands on partner countries to enforce this security, do not comply with the obligation to respect human rights and dignity above all.
5. In the light of the need to fulfil their obligations to save lives at sea, the Parliamentary Assembly calls on the Council of Europe member States to:
 - 5.1. establish clear geographical responsibilities for international search and rescue operations at sea and disembarkation under the International Convention on Maritime Search and Rescue, for instance in the framework of the International Maritime Organization or through bilateral or multilateral agreements;
 - 5.2. allow commercial and non-governmental ships to enter ports of coastal States, and assist those ships in their rescue operations;
 - 5.3. separate rescue operations carried out by member States from subsequent applications for asylum by those rescued at sea, as both imply distinct obligations of member States;
 - 5.4. support countries along Europe’s borders by making more efficient use of mechanisms to share costs, resources and infrastructure devoted to migration management;

1. *Assembly debate* on 27 June 2018 (24th Sitting) (see [Doc. 14586](#), report of the Committee on Migration, Refugees and Displaced Persons, rapporteur: Ms Petra De Sutter). *Text adopted by the Assembly* on 27 June 2018 (24th Sitting). See also [Recommendation 2137 \(2018\)](#).



- 5.5. sign and ratify, if they have not yet done so, the 2004 amendments to the International Convention on Maritime Search and Rescue as well as the Protocol against the Smuggling of Migrants by Land, Sea and Air to the United Nations Convention against Transnational Organized Crime.
6. The Assembly calls on the European Union member States to:
 - 6.1. lead the way in working to finally ensure fair and regular resettlement programmes, in accordance with [Resolution 2072 \(2015\)](#);
 - 6.2. continue the fight against human smuggling and trafficking in order to reduce the risks involved in long sea journeys by enabling migrants to travel in satisfactory conditions;
 - 6.3. ensure that the missions of the European Border and Coast Guard Agency (Frontex) can effectively assist in search and rescue operations;
 - 6.4. uphold international standards for the protection of life at sea in devising and implementing common action.