

Resolution 2612 (2025)¹

Saving the lives of migrants at sea and protecting their human rights

Parliamentary Assembly

1. Every day people flee their home countries to escape war, violence, political oppression or the effects of climate change in order to seek safety and a better life. Among them, there are people who try to reach Europe, often by sea, risking their lives on dangerous journeys, as has been recorded since 2014 by the International Organization for Migration, but witnessed for much longer.
2. The Parliamentary Assembly is appalled by the numerous and recurring tragedies of the loss of migrants' lives in European waters.
3. The Assembly recalls the European Convention on Human Rights (ETS No. 5, "the Convention") and its Article 2 safeguarding the right to life. It refers, in this respect, to the 2022 landmark judgment *Safi and Others v. Greece* of the European Court of Human Rights ("the Court"), which stressed States' obligation to carry out effective investigations into violations of Article 2 and to take appropriate steps to safeguard the lives of those within their jurisdiction and in the context of any activity, whether public or not, in which the right to life may be at stake. These obligations under Article 2 refer in this context to an operation to rescue migrants who were drowning while trying to cross borders at sea. The Assembly also recalls that States should effectively protect rescued migrants from torture and inhuman or degrading treatment, in accordance with Article 3 of the Convention, and effectively investigate any violations of this fundamental provision. The Assembly further recalls the importance of respecting the principle of *non-refoulement*, as applied by the Court in the context of maritime search-and-rescue operations in its 2012 judgment *Hirsi Jamaa and Others v. Italy*.
4. The Assembly urges member States to fully comply with refugee, maritime and international humanitarian instruments, especially the United Nations Convention on the Law of the Sea (signed in 1982, effective in 1994), which places upon States parties an obligation to ensure that shipmasters promptly render assistance to anyone in a situation of distress at sea, under Article 98. It additionally underscores the importance of the International Convention for the Safety of Life at Sea (1974) and the International Convention on Maritime Search and Rescue (1979) of the International Maritime Organization, the Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197, 2005), the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime ("Smuggling of Migrants Protocol", 2000) and the United Nations Convention relating to the Status of Refugees (1951).
5. The Assembly also encourages member States to use the Council of Europe's expertise in the field of migration, in particular the newly established Division on Migration and Refugees, the thematic work on migration of the Council of Europe Commissioner for Human Rights and the European Programme for Human Rights Education for Legal Professionals (HELP).
6. The Assembly wishes to honour the bravery of all those saving migrants' lives in European waters, including member States' national coast guard authorities and navies, non-governmental organisations (NGOs) and volunteers. All these people risk their own lives to save others.

1. *Assembly debate* on 26 June 2025 (25th sitting) (see [Doc. 16195](#), report of the Committee on Migration, Refugees and Displaced Persons, rapporteur: Mr Paulo Pisco). *Text adopted by the Assembly* on 26 June 2025 (25th sitting). See also [Recommendation 2298 \(2025\)](#).



7. The Assembly underlines in this respect the important role of the International Maritime Organization in promoting a common and effective application of the legal framework of rescue at sea, as underlined in [Resolution 1999 \(2014\)](#) “The ‘left-to-die boat’: actions and reactions”.
8. The Assembly, echoing [Resolution 2305 \(2019\)](#) “Saving lives in the Mediterranean: the need for an urgent response”, emphasises States’ responsibility to prevent drownings in European waters. In this respect, the Assembly urges all member States to share responsibility for safety and the protection of life in European waters by committing to assist coastal member States in search-and-rescue operations, including by increasing the resources of their coast guard authorities.
9. The Assembly recalls that Greece’s Aegean, Spain’s Canary and Italy’s Sicily islands, and Lampedusa, have been major points of entry for migrants trying to reach Europe, and that the Western African Atlantic and central Mediterranean migration sea routes are among the most dangerous in the world. The Assembly thus calls on member States to further strengthen the financial and material capacities of the coast guard authorities of these regions – namely the Hellenic Coast Guard, La Sociedad de Salvamento y Seguridad Marítima en Canarias and La Guardia Costiera Capitaneria Di Porto Lampedusa – to enable them to pursue their missions to rescue migrants in distress and prevent deaths at sea.
10. The Assembly calls on member States to re-establish large-scale European search-and-rescue operations. This should involve creating a European sea search-and-rescue corps with the sole mandate of saving lives at sea with full respect for international human rights law.
11. To this end, the Assembly calls on Council of Europe member States and the European Union to:
 - 11.1. allocate appropriate funds and means for search-and-rescue operations explicitly earmarked for the purpose of saving lives;
 - 11.2. establish platforms for the co-ordination of search-and-rescue operations, ensuring an effective complementarity between public and private search-and-rescue actors, and with clear responsibilities among member States;
 - 11.3. enhance the identification of distress situations and an effective response by the closest and most suitable ships;
 - 11.4. in co-operation with the Council of Europe, develop and maintain systematic human rights awareness raising and training of border guards and other security forces involved in search-and-rescue operations for migrants, as well as increase the capacity of law-enforcement (including border and coast guards), judicial and prosecutorial authorities to effectively investigate violations of Articles 2 and 3 of the Convention, including in the context of search-and-rescue operations for migrants.
12. Regarding international and domestic laws, the Assembly calls on Council of Europe member States to:
 - 12.1. sign and ratify, if they have not yet done so, the United Nations Convention on the Law of the Sea and other relevant international treaties, and respect their terms and obligations;
 - 12.2. adopt clear, binding and enforceable common rules aimed at enhancing search-and-rescue capacities, fully consistent with international maritime law and international human rights and refugee law obligations, as underlined in [Resolution 1999 \(2014\)](#);
 - 12.3. recognise European waters as maritime humanitarian spaces to allow better protection of independent civil search-and-rescue missions, and participate in reinforcing co-operation among all search-and-rescue actors in line with [Resolution 2356 \(2020\)](#) “Rights and obligations of NGOs assisting refugees and migrants in Europe”;
 - 12.4. organise safe pathways at sea for migrants in distress;
 - 12.5. take appropriate action to render effective the prohibition of pushbacks, collective expulsions and other illegal actions vis-à-vis migrants at sea;
 - 12.6. monitor swiftly, independently and thoroughly all cases of human rights violations at sea and violations of international maritime law, and produce an annual report to this end, with particular emphasis on:
 - 12.6.1. allegations of pushbacks;
 - 12.6.2. allegations of both delayed or absent responses to distress calls from responsible authorities and instances of endangerment;

12.6.3. cases of non-rescue, delayed rescue or other issues in operations at sea, including allegations that rescued persons have been disembarked in unsafe places.

13. To protect the human rights and fundamental freedoms of rescued migrants, the Assembly calls on member States to:

13.1. ensure that survivors are safely disembarked in the place that can be reached most promptly, where their safety is no longer threatened and their basic needs are met, in accordance with the International Convention for the Safety of Life at Sea and other relevant search-and-rescue instruments;

13.2. ensure assistance is provided to migrants at disembarkation, including vulnerability, health and mental health screenings, and provision of legal information;

13.3. adopt clear, binding and enforceable common standards for the humane and dignified reception of and assistance to survivors, with particular attention paid to vulnerable people, especially women and unaccompanied children.

14. The Assembly encourages the European Border and Coast Guard Agency (Frontex) to seek an agreement with member States to also send alerts about migrant boats to qualified civil society organisations that act as complementary stakeholders. It welcomes the creation and encourages the development of the institution of the Fundamental Rights Officer within the Frontex structures, with the aim of ensuring human rights compliance of the agency's activities and beyond.

15. As tackling migrant smuggling must not lead to the criminalising of smuggled people and humanitarian organisations, as happens in some member States, the Assembly asks member States to closely consider the recommendations made in [Resolution 2356 \(2020\)](#) and [Resolution 2568 \(2024\)](#) "A shared European approach to address migrant smuggling", including by strictly defining in domestic legislation the elements constituting the crime of migrant smuggling and the scope of criminalisation, in line with the Smuggling of Migrants Protocol. The Assembly asks member States to pay particular attention to vulnerable populations, such as victims of torture and trafficking, migrant women and unaccompanied migrant children.

16. In order to avoid further tragedies, the Assembly urges member States to cease delaying disembarkation or diverting ships to distant ports and impounding rescue ships, planes and drones; and to allow humanitarian civil society organisations to operate in support of public agencies without introducing legal and administrative obstacles.

17. Moreover, the Assembly urges ending such tragedies by establishing safe legal pathways for migrants in need of international protection. Furthermore, member States must protect and recognise European waters as maritime humanitarian spaces to be regarded as sanctuaries in the name of humanity.

18. Welcoming the adoption by the European Union in 2021 of its Integrated Border Management Fund and its renewed Asylum, Migration and Integration Fund, the Assembly encourages greater co-operation with the Council of Europe in these areas, in particular in the implementation of the European Union Pact on Migration and Asylum by member States.

19. Given extensive reports describing unacceptable violations of human rights and international maritime law by the Libyan Coast Guard authority and the Libyan General Administration for Coastal Security, the Assembly calls on member States to review their co-operation with these authorities, including their funding, training and provision of equipment, in order to ensure they fully respect their human rights obligations.

20. Considering the challenges Tunisia faces regarding migrants' human rights on its territory and at sea, the Assembly calls on member States to re-evaluate their co-operation with this country, especially its coast guard authority, in the light of these key issues, including an examination of the support given to the Tunisian Coast Guard, through funding, training and provision of equipment.

21. Considering the widespread protection concerns affecting migrants and refugees in Tunisia as expressed in, among other things, the joint communication to the Tunisian Government issued jointly by different Special Procedures of the United Nations Human Rights Council, the Assembly calls on member States to avoid instructing vessels involved in rescue operations to disembark refugees and migrants on Tunisian territory.