



Brussels, April 5, 2017  
**MEP Miguel Urbán Crespo**  
Parlement Européen  
Bât. Willy Brandt - 03M121  
60, Rue Wiertz / Wiertzstraat 60  
B-1047 Bruxelles/Brussel  
[miguel.urban Crespo@ep.europa.eu](mailto:miguel.urban Crespo@ep.europa.eu)

**Christos Stylianides**

*Commissioner of the European Civil Protection and Humanitarian Aid Operations*

[christos.stylianides@ec.europa.eu](mailto:christos.stylianides@ec.europa.eu)

**Dimitris Avramopoulos**

*Commissioner of Migration and Home Affairs*

[dimitris.avramopoulos@ec.europa.eu](mailto:dimitris.avramopoulos@ec.europa.eu)

**Emily O'Reilly**

*European Ombudsman*

[emily.oreilly@ombudsman.europa.eu](mailto:emily.oreilly@ombudsman.europa.eu)

**Joint Declaration regarding to “Search and Rescue in the Mediterranean Sea”**

**Against Criminalization of the Humanitarian Aid**

The Mediterranean Sea is the biggest mass grave of the post-war period. In 2016, more than 5.000 persons have died drowned, on their way fleeing from war, poverty and persecution, looking for a decent life. The Mediterranean route is not only the most dangerous one, but also the most deadly.

European Institutions, instead of giving an answer according to the International Law, Human Rights and Fundamental Rights, have decided the deliberate inaction of rescue in the Mediterranean Sea. The decision to end up with “Mare Nostrum” rescue operation is a clear example of this inaction. Since then, a militarization process of “rescue” workers and the deployment of military-type border control operations have been carried out.

The response given by civil society shows the increasing divergence between European institutions and European citizens. Several NGOs, maintained with small citizens’ donations and contributions, are working on genuine search-and-rescue in the Mediterranean Sea, reaching areas where the institutions do not.<sup>i</sup>

In addition, we call for the modification of the Facilitation Directive 090/2002, an end to the inherent ambiguity and the consequent conflicting interpretations. More than 40% of rescue operations are carried out by NGOs, proof positive that there is urgent need to end ambiguous rhetoric in this Directive.

We also want to express our deep concern for the declaration made by Fabrice Leggeri, Executive Director of FRONTEX, last 15th of February 2017<sup>ii</sup>, accusing NGOs of collaborating with traffickers who profit from dangerous Mediterranean crossings. We consider this kind of declarations unacceptable, due to the fact that they promote insidious and fear discourse. NGOs are in a completely vulnerable

and helplessness situation, because there is no formal accusation and no legal procedure, which means there are no legal forums to confront these tendentious declarations. We claim a public rectification by Mr. Leggeri related with those declarations.

One result of the continuous attacks and unfounded accusations received by different agents, such as Frontex Executive Director and also members of the political sphere, is the opening of investigations by the public prosecutors in Catania, Palermo and Trapani, which have been refuted by way of a joint press release by the NGOs involved in search-and-rescue operations in the central Mediterranean.

The signatory organizations of the joint release, that seriously and diligently supply the lack of a real European search and rescue operation - under the coordination of the Italian Coast Guard General Command and the Italian Maritime Rescue Coordination Center (ItMRCC) - not only firmly reject such accusations, they denounce the existence of an organized campaign to discredit them and the humanitarian aid and witness activity that they fulfil in the Central Mediterranean.

We wish to add our firm support to that statement. We demand a public retraction by Mr. Leggeri of those accusations and we call for forceful action to be taken against those who, through bad information or in bad faith, try to harm and discredit NGOs and their activities in the central Mediterranean.

Through this statement also we want to alert the European Ombudsman to protect the fundamental and irreplaceable function of NGOs, the protectors of the interests of civil society

Signatories

Miguel Urbán Crespo

Barbara Spinelli

Elly Schlein

Jordi Solé

Estefanía Torres Martínez

Tania González Peñas

Xabier Benito Ziluaga

Lola Sánchez Caldentey

Barbara Lochbihler

Keith Taylor

Stefan Eck

Maria Heubuch

Bodil Valero

Bart Staes

Jose Bove

Paloma López Bermejo

Sabine Lösing

Marina Albiol

Margrete Auken

Ernest Urtasun

Javier Couso

Marisa Matías

Ana Maria Gomes

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<sup>i</sup> The aim of such voluntary effort is to deliver a co-ordinated and comprehensive humanitarian approach to the on-going Mediterranean SAR NGO mission.

<https://www.humanrightsatsea.org/wp-content/uploads/2017/03/20170302-NGO-Code-of-Conduct-FINAL-SECURED.pdf>

<sup>ii</sup> see more <https://www.theguardian.com/world/2017/feb/27/ngo-rescues-off-libya-encourage-traffickers-eu-borders-chief>