High Level Meeting to address Unsafe Mixed Migration by Sea  
IMO, London, 4 March 2015

General Statement

Laurent Muschel  
Director Migration and Protection  
European Commission DG Migration and Home Affairs

[Introduction]

Excellencies, the European Commission welcomes this initiative taken by IMO.

Migration by sea is a topic in which the European Union takes an active role not only in terms of policy development but also at an operational level through its agencies, notably Frontex, the European Borders Agency, Europol and EASO, the European Asylum Office.

In Europe we are currently facing the biggest refugee crisis in our history, with more than 600 000 asylum application last year.

Our objective within the EU is to have a balanced and comprehensive migration policy. This means a combination of actions aimed at:

(1) preventing loss of life at sea,

(2) guaranteeing international protection and promoting resettlement;

(3) combating criminal networks involved in the smuggling of migrants and enhancing a system of border management respectful of fundamental rights.

Given the context of our discussion here in London today, I will focus my statement on matters related to the safety of life at sea.

It is estimated that in 2014 more than 3 500 persons lost their lives in the attempt to cross the Mediterranean Sea. It is also important to remember that around 170 000 persons were brought to safety. This is thanks to the endless efforts of State authorities, in particular Italy, and significant interventions of commercial vessels.

At a European level, the capacity of Member States to deal with search and rescue situations is reinforced by providing them with technical and operational support. This is done by means of joint operations coordinated by Frontex, our Border Control Agency.
When patrolling the seas assets coordinated by Frontex, like any other State vessel, have a duty to assist any person or boat in distress.

Frontex is currently coordinating two joint operations in the Mediterranean, namely ‘Triton’ hosted by Italy, and ‘Poseidon Sea’ hosted by Greece. Other operations are scheduled for later on in the year in the Western Mediterranean region.

Since the start of operation Triton in November last year, 23 000 people have been saved in the Central Mediterranean. This operation involves the participation of 21 Member States that deployed personnel, as well as aerial and maritime assets.

The operational area covers approximately 245 000 km² East and South of Italy and Malta; a large part of this area is covered by aerial surveillance for early detection of migrants’ boats.


Every effort must be made to preserve human life. However, despite all its efforts, Frontex is neither a search and rescue body nor does it take up the functions of a Rescue Coordination Centre. It is therefore necessary that States continue to maintain adequate and effective search and rescue services at their coasts.

Effective coordination and cooperation could be enhanced through regional agreements. IMO could play a key role in setting up such arrangements. We therefore encourage IMO to continue in its efforts to develop regional agreements for States in the Mediterranean.

At European level, we seek to improve coordination by using the European Border Surveillance System (EUROSUR) to exchange information and improve inter-agency cooperation, for instance between Frontex and the European Maritime Safety Agency, and at national level. This may be done not only for the purposes of border control but also as regards search and rescue. But it needs to be said that we will not be able to save every life when 100 migrants go on a small rubber dinghy in the middle of winter, not knowing how to swim and with no life jackets, it is suicide. It makes the task of the coast guards and rescue services very difficult.

In this regard, it would also be important for the shipping community to better engage with law enforcement authorities; it is important that ship owners and crew members report all relevant information. We consider that IMO could help develop the appropriate channels of communication.
The nature of the obligations under the international framework of search and rescue, and safety of life at sea are clear but their application still gives rise to difficulties, for instance, as regards disembarkation or the responsibilities of coastal and flag State authorities. This raises challenges particularly for commercial vessels.

We are fully aware of the increasing concern among ship owners, and we completely agree on the need of ensuring immediate and effective disembarkation so that the ships’ masters are released from their obligations with minimum deviation from their intended journey.

We believe that this is an issue which may need to be addressed further at the international level; it would be useful to expand the IMO guidelines to include clear criteria on which State would be obliged to permit disembarkation. This is necessary not only to ensure the safety of the rescued persons but also to enhance the safety and security of the crew of those vessels carrying out the rescue.

In our view, it is also important that IMO recalls the responsibilities of coastal and flag States with regard to the use of unseaworthy vessels. It is necessary to prevent the use of these kinds of vessels for smuggling of migrants.

Migratory routes into Europe and the modus operandi change over time as smugglers adapt their strategies to maximise their profits. We have seen this towards the end of last year and at the beginning of this year with the use of cargo vessels to transport migrants across the Mediterranean.

The States from which such cargo vessels leave should prevent illegal access to these cargo vessels. They should prevent and counter organised smuggling of migrants.

We cannot accept a situation where the smugglers transform rescue authorities into tour operators at their service.

Frontex is currently monitoring twelve cargo vessels, in close cooperation with the European Maritime Safety Agency in the framework of EUROSUR. This is done by combining information derived from ship reporting systems with satellite imagery.

However, to be effective in our fight against smugglers we also need to build a stronger criminal justice response, based on international cooperation. One of the European Commission’s main priorities for the coming months is to develop an EU Plan against migrant smuggling.
Our focus will be, on the one hand, on dismantling criminal networks through reinforced intelligence gathering, investigation capacities and prosecution and, on the other hand, on prevention.

[Conclusion]

In the EU, we are conscious of the fact that as long as we don't address the root causes and there is hardship and war in our neighbourhood, people will continue to risk their lives to reach European shores. This is a complex problem for which there is no simple solution. It is clear to us that a single nation cannot and should not be left to address the challenges of migration by sea alone.

We see IMO as having a key role in this process by, as I mentioned, (i) developing regional agreements, (ii) providing appropriate support to commercial vessels, (iii) ensuring clear rules on disembarkation, and (iv) recalling the responsibilities of coastal and flag States to prevent the use of vessels for smuggling.

In Europe we are resolved to address these challenges. We believe we can do so by managing migration in a comprehensive way.

We are willing to contribute towards framing such a solution together with the international community.

Thank you.

Laurent Muschel
Director Migration and Protection
European Commission DG Migration and Home Affairs