



Resolution 2229 (2018)¹
Provisional version

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 by foreign vessels with passengers rescued at sea on board.
2. The Assembly is appalled by the high numbers of lives lost in the Mediterranean Sea by asylum seekers who are 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, framed by 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. Emphasising that European States are not directly responsible for causing today’s high 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 routes 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 bi- 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. disconnect 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 amendments of 2004 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, following [Resolution 2072 \(2015\)](#) “After Dublin – the urgent need for a real European asylum system”;
 - 6.2. continue the combat against smuggling and trafficking in order to reduce the risks involved in long sea journeys by enabling migrants to travel in adequate conditions;
 - 6.3. ensure that the missions of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex) can effectively assist in search and rescue operations;
 - 6.4. uphold the international standards for the protection of life at sea in devising and implementing common action.