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Bachelor's Degree Final Thesis

Challenging the Criminalization of Solidarity: Legal and Ethical Dilemmas in European Maritime Rescue Operations

Addressing the gap between international law and national realities in
Europe's response to maritime migrant crisis

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Abbreviations

EEZ	Exclusive Economic Zone
EU	European Union
IOM	International Organization for Migration
NGO	Non-Governmental Organization
OHCHR	Office of the United Nations High Commissioner for Human Rights
SAR	Search and Rescue
SAR Convention	International Convention on Maritime Search and Rescue
SOLAS	Convention for the Safety of Life at Sea
UNCLOS	United Nations Convention on the Law of the Sea
UNHCR	United Nations High Commissioner for Refugees

1. Introduction

In recent years, human rights defenders and civil society organizations that have supported refugees and migrants have faced several criminal prosecutions and excessive limitations on their operations among Europe. By rescuing refugees and migrants in danger at sea, offering them food, shelter and secure tools in transportation, human rights defenders have become the target of the authorities. The criminalization of solidarity, particularly in the context of migrant support, has been a growing concern in Europe. This criminalization is seen as a challenge to Europe's principles of citizens' solidarity across borders (Tazzioli, 2019).

Although this oppression is not new, its prominence in public discourse has grown significantly since the 2015 migration crisis, which brought more attention by European countries to the Mediterranean Sea, seen as a deadly route (Fekete, 2018).

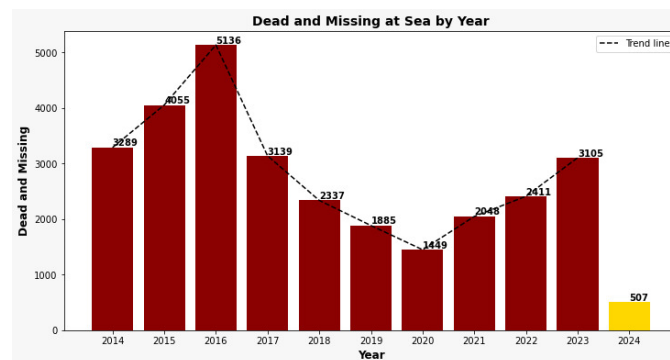


Figure 1: Dead and missing at the Mediterranean Sea per year. Based on data from Missing Migrants Project (Missing Migrants Project, 2024).

Lately, as depicted in Figure 1, since 2020 there has been an escalation in the mortality rate within the Mediterranean Sea again, thereby necessitating a revaluation of the factors contributing to this distressing situation. In addition to this trend, the approval in April 2024 of the new Pact on Migration and Asylum by the European Union further indicates a potential exacerbation of this pattern, suggesting an exponential rise in mortality rates in the coming years. This package of ten legislative measures, which is part of the migration system reform agreed upon by the Council and the Eurochamber, tightens the criteria for asylum acquisition within the European Union (EU) and institutes a mechanism of

"solidarity distribution" among member states for the accommodation of migrants entering the Union's territory (European Commission, 2024). Therefore, even if this pact is apparently efficient as a regulatory measure, this relocation of migrants may potentially exacerbate the non-assistance of distressed individuals at sea by coastal states (Civil Rights Defenders, 2024). Hence, this scenario has prompted a further attention on maritime rescue Non-Governmental Organizations (NGOs), whose services are becoming increasingly indispensable at the same time as having their operational security threatened. However, a comprehensive research initiative and the judicious operationalization of pertinent legal frameworks to prevent this situation remain incomplete at present. The criminalization of solidarity has direct implications on the humanitarian assistance that migrants and refugees receive during this life-threatening journey, making it even more menacing for them and increasing mortality rates and violence against refugees at sea (Gordon and Larsen, 2022).

The current legal framework for assisting migrants in distress at sea is inadequate, with significant gaps and tensions between international maritime law and national laws (Coppens, 2010). This is particularly evident in the Mediterranean region, where the lack of clear rules on Search and Rescue (SAR) operations and the responsibility for failed rescue scenarios has created a challenging situation (Koka, 2019). The pressure between humanitarian concerns and national security is additionally a key issue, with the rights of refugees and asylum-seekers frequently being ineffectively defined and implemented (UNHCR, 2006). Thus, in light with the foregoing statements and the subsequent literature review, it becomes evident that there is a need for more substantial and dedicated solutions to address these gaps and tensions in the legal framework.

1.1. State of the art

The criminalization of solidarity in Europe, particularly in the context of search and rescue operations in the Mediterranean, has raised significant concerns about its compliance with international law. To analyse so, some research articles and international treaties and conventions have been reviewed.

Initially, it is imperative to underscore the definition of the concept "criminalization of solidarity" as delineated by the Research Social Platform on Migration and Asylum of 2020. According to this conceptualization, the term "refers to the increased policing of people who help migrants, including through search and rescue operations, reception activities and the provision of food, housing and services. In particular, people helping migrants, including lifeguards, journalists, priests, volunteers and NGOs, have been portrayed and investigated as criminals" (Research Social Platform on Migration and Asylum, 2020). This document, apart from presenting the widely recognized definition of the concept, stands out as one of the most articulate works on the topic. It makes small strokes to help understand who might be accused of helping irregular migration, suggests actions for EU policymakers and provides a map of the most significant instances on criminalization of solidarity in Europe.

Following this line, another important paper on the field is the report called "Criminalization of humanitarian and other support and assistance to migrants and the defence of their human rights in the EU" performed by the International Community of Jurists in 2022. This one focus on criminalization of some forms of humanitarian assistance and puts and overview on the international and EU law. Its relevance to the study lies in furnishing examples of the initiation of administrative and criminal proceedings against vessels or crew members engaged in search and rescue operations in the Mediterranean, field of criminalization of solidarity I will put a focus on (ICJ, 2022).

Some critical articles are also important in the field, such as the Amnesty International annual report. In 2020, this organization pushed forward a delineation showing how European governments, EU institutions and authorities have deployed an array of restrictive measures against individuals and groups who defend rights of migrants called Punishing Compassion Solidarity on Trial in Fortress Europe (Amnesty International, 2020).

Focusing specifically on the Mediterranean Sea in regards of criminalization of solidarity, some documents must be highlighted. First of all, it is important to call attention to the report of the Office of the United Nations High Commissioner for

Human Rights (OHCHR) in 2021 named “Lethal Disregard Search and rescue and the protection of migrants in the central Mediterranean Sea”. This thematic report aims to emphasises how certain laws, policies and practices related to SAR operations and the protection of migrants at sea have negatively impacted the human rights protection of migrants (OHCHR, 2021).

The follow-up report to the 2019 Recommendation by the Council of Europe Commissioner for Human Rights called “The widening gap in migrant protection in the Mediterranean” is an also important document that expresses member state’s approaches, which appear to be focussing on limiting NGOs life-saving work rather than seeing them as filling a gap left by the member states’ own disengagement (Mijatović, 2019).

The European Journal of Migration and Law, journal on migration law and policy with specific emphasis on the European Union, the Council of Europe and migration activities within the Organisation for Security and Cooperation in Europe, also takes on an important role in the study. Concretely, the article of Tugba Basaran “Saving Lives at Sea: Security, Law and Adverse Effects” talks about saving lives at sea putting an emphasis on eliminating third party sanctions that impede the proper functioning of the international rescue regime (Basaran, 2014). This article, broadly citated and with a high relevance, compares the implementation of the international maritime law with a specific case on the Strait of Sicily, where a lot of shipwrecks occurred in the past decades.

Several noteworthy scholars have also studied the criminalization of NGOs involved in maritime rescue operations. Some of the main authors to highlight, due to their relevance in the field of study, are Gombeer (2018; 2020), Koka (2019), Barnes (2004) and Papanicolopulu (2016). These authors draw attention to the ambiguity surrounding the roles and rights of coastal states and NGOs in these operations. While Koka and Barnes highlight the gaps in the legal framework, particularly with regard to handling unsuccessful rescue scenarios, Gombeer and Papanicolopulu highlight the authority of coastal states to decide how search and rescue operations are conducted within their territorial waters. Moreover, in 2021, Mainwaring and DeBono pursued an article called “Criminalizing solidarity:

Search and rescue in a neo-colonial sea”, wherein they adopt a critical perspective. Their argument posits that the criminalization of NGOs search and rescue activities are enabled by a neo-colonial imagination of the sea (Mainwaring and DeBono, 2021).

1.2. Objectives and hypothesis

Considering the state of the art presented above, the major research question of this work arises as follows: “Does international law provide protection for Non-Governmental Organizations against the criminalization of solidarity enforced by national legislation within the realm of maritime rescue of refugees?”. Therefore, it is hypothesised that “the international protection afforded to Non-Governmental Organizations against the criminalization of solidarity enforced by national legislation within the domain of maritime rescue of refugees, is limited and does not effectively resolve the challenges faced by these organizations”. Subsequent to this point, secondary research questions emerge, including the examination of whether NGOs perceive this sense of insecurity to operate within the parameters of the established international framework, and an exploration into potential deficiencies and gaps within this framework.

Henceforth, the main objective of this study is to critically examine the role of international law in providing protection for NGOs against the criminalization of solidarity imposed by national legislation in the context of maritime rescues of refugees. There is an aim to investigate the lack of clear international legislation regarding search and rescue operations in the Mediterranean. Furthermore, the objective of this study is to determine the rationale behind states’ justification for refusing entry to ships into their ports, as well as the validity of these justifications.

Finally, there is an essential aim of providing potential solutions to address the situation from a critical perspective, in order to advise policymakers and the general population how to approach the arrival of migrants by sea.

2. Theoretical framework and methodology

Constructivism is set to serve as the theoretical framework that will encompass the analysis of this study, with particular emphasis on critical security studies within the critical theory. Critical security studies allow to explore how standard security measures such as border control impact on humanitarian assistance and treatment of refugees. Thus, this theory critiques the securitization of migration in International Relations (Peoples and Vaughan-Williams, 2020).

The idea of securitization is commonly linked with the Copenhagen school of security studies, which typically involves scholars such as Ole Wæver and Barry Buzan, and gained significant prominence during the Cold War, when security became an essentially contested concept (Eroukhmanoff, 2018). This term, in International Relations, refers to the “process by which states determine threats to national security based on subjective rather than objective assessments of perceived danger” (Kilroy, 2022). Hence, securitization is the process of state actors to transform certain subjects from regular political issues into matters of security, even if sometimes they are not. In the specific context of the securitization of migration, migration issues under this scope are therefore presented and handled as matters of national security and a subsequent threat to it. On the contrary, critical security studies, paradigm in which this work is framed, challenge this claim and explores the underlying structural factors that contribute to migration, including economic disparities, environmental degradation, political instability, and conflict. Moreover, within the framework of critical security studies, the tendency to militarize borders and implement restrictive immigration policies is criticized, advocating instead for more humanitarian approaches (Ullah, Hasan, Mohamad and Chatteraj, 2020).

Furthermore, this analysis is based on the Three Levels of Analysis paradigm of International Relations, which divides society into the individual, state and systemic or international levels. These levels help to understand how different perspectives and understandings emerge by examining international phenomena from different positions (Tamaki, 2016).

Regarding the methodology, this study employs a qualitative research design to comprehensively explore and understand the gaps in the legal international

framework to tackle with criminalization of solidarity, with a specific emphasis on the case of Open Arms of 2019, engaged in search and rescue operations at sea. The thesis relies on an exhaustive examination of primary legal sources, encompassing legislation and jurisprudence, such as the United Nations Convention on the Law of the Sea, the Convention for the Safety of Life at Sea and the International Convention on Maritime Search and Rescue. Moreover, an analysis of scholar articles and newspapers in the field of distress at sea, as secondary sources, is conducted.

Furthermore, to complement this analysis, a semi-structured interview was carried out with Fèlix Capella, a member of Open Arms, serving as a primary source. This interview conducted with the fundraising manager and disseminator of the NGO during 2023 and 2024, who also participated in a high seas mission during the summer of 2023, facilitated an examination of personal experiences and perceptions related to the topic. The incorporation of his personal opinions and experiences facilitated a more critical analysis of the subject matter. His unique insights offered valuable perspectives that enriched the depth of the analysis, allowing for a nuanced examination of the topic from multiple angles.

3. Navigating perspectives: the dispute between national and international frameworks

3.1. International perspective on criminalization of solidarity

3.1.1. International conventions and treaties regarding maritime law

The rescue of persons in distress at sea is regulated by several international treaties. One of the most significant treaties is the United Nations Convention on the Law of the Sea (UNCLOS) of 1982, a legally binding quasi-constitutional document ratified by 169 parties. This document sets up a “comprehensive regime of law and order in the world’s oceans and seas establishing rules governing all uses of the oceans and their resources” (United Nations, 1982). This international agreement delineates, *inter alia*, the obligation to rescue lives at sea, as spelled out in Article 98. “Every State shall [...] (a) render assistance to any person found at sea in danger of being lost; (b) proceed with all possible speed to the rescue of persons in distress, if informed of their need of assistance, in so far as such action may reasonably be expected of him [...]” (United Nations, 1982: Article 98). This duty to rescue, one of the most ancient features of the law of the sea, is further clarified in other international maritime law treaties, including the Convention for the Safety of Life at Sea (SOLAS), adopted in 1974, and the International Convention on Maritime Search and Rescue (SAR Convention), entering into force in 1979 (Barnes, 2004). These accords delineate various entitlements and obligations for flag States, first line of defence, transit States, second line, and coastal States (European Commission, 2018). Regarding coastal states, UNCLOS provides that “[...] coastal State shall not: (a) impose requirements on foreign ships which have the practical effect of denying or impairing the right of innocent passage; [...]” (United Nations, 1982: Article 24). This means that coastal states can not make rules that make it difficult or impossible for foreign ships to pass peacefully through its territorial waters, as they enjoy the right of innocent passage.

As explicitly highlighted in the SAR Convention, the territorial scope of the duty to render assistance to individuals in distress at sea encompasses all maritime zones and should be applied to all persons in sorrow, without discrimination

(Papanicolopulu, 2016). “Parties shall ensure that assistance is provided to any person in distress at sea. They shall do so regardless of the nationality or status of such a person or the circumstances in which that person is found” (International Maritime Organization, 1979: Chapter 2.1.10). Thus, the status of individuals as migrants should not serve as a barrier to their fundamental right to be rescued.

Moreover, broader treaties such as the 1951 Refugee Convention and the Universal Declaration of Human Rights may also regulate the arrival of migrants. The first one sets up the “minimum standards for the treatment of refugees, including the right to housing, work and education” and present for consideration the concept of non-refoulement and freedom of movement (UNHCR, 1951). As stipulated in Article 26 “each Contracting State shall accord to refugees lawfully in its territory the right to choose their place of residence and to move freely within its territory subject to any regulations applicable to aliens generally in the same circumstances” (UNHCR, 1951: Article 26). The Declaration of Human Rights, in its essence, establishes fundamental human rights to be universally protected (United Nations, 1948). Human rights are universal and exist no matter where a person in the world is. This implies that individuals in distress at sea possess these fundamental human rights too, regardless of their situation. Article 14 of the Declaration provides that “everyone has the right to seek and to enjoy in other countries asylum from persecution” and article 13 stipulate the freedom of movement (United Nations, 1948: Article 13 and 14).

3.1.2. International legal frameworks: addressing limitations

Despite the solid number of legal international documents pertaining to the arrival of refugees by sea, there is evidence of shortcomings that contribute to the insufficient protection of NGOs engaged in rescue operations.

According to SAR Convention, a rescue operation is defined as “an operation to retrieve persons in distress, provide for their initial medical or other needs, and deliver them to a place of safety” (International Maritime Organization, 1979: Annex 12). Thus, when a rescue operation at sea occurs, the last step is getting the

rescued individuals to a safe place of land. This is called disembarkation, and is one of the major flaws in the international legal framework. Technically, the nation under whose flag a ship operates bears responsibility for individuals rescued by that ship. However, there is no rule obliging the flag state to give these people asylum and these states normally turn a blind eye towards its vessel, hoping that another nation will offer assistance (Barnes, 2004). This commonplace scenario underscores the ideal that those who have been rescued should be taken to the port closest to the rescue, if it is safe to do so. Determining which states qualify as safe is left to the rescue vessels, as it is not internationally dictated. However, the absence of a binding agreement governing this process of disembarkation has led many coastal states to hesitate in accepting rescue vessels. Consequently, finding a country disposed to allow these ships to dock can be challenging (Papanicolopulu, 2016).

Article 58 and 86 of UNCLOS stipulate that countries with coastlines must give assistance in areas like the Exclusive Economic Zone (EEZ), extended typically up to 200 nautical miles from the shore, and in the open sea. However, these obligations do not mention this duty inside territorial waters, where harbours for disembarkation are located and coastal states exercise full sovereignty (Barnes, 2004). Hence, just because a ship has the right to pass peacefully through territorial waters, as provided in article 24 of UNCLOS, does not automatically mean has the right to enter a port, as the final decision falls into national states. No convention guarantees the right to enter foreign ports, so getting access is a privilege under the international law, not a principle. Entering without the explicit consent of the coastal state is only permitted under the circumstance of distress, when it is the only option to save lives. This exception, that turned into a right, has long been approved by many experts, and was created for humanitarian reasons (Lowe, 1976). According to the United Nations High Commissioner for Refugees (UNHCR) Glossary of terms, distress is “a situation wherein there is reasonable certainty that a person, a vessel or other craft is threatened by grave and imminent danger and requires immediate assistance” (United Nations High Commissioner for Refugees, 2006). Considering this definition, however, it can be determined that the level of threat in a given situation is subjective, and there exists no definitive guideline stipulating

the criteria for identifying a distress situation. Henceforth, this right is not absolute, and it is, again, in national states hands. Coastal countries decide whether letting a distressed ship into their waters is really necessary.

Considering the principle of non-refoulement addressed by Article 33(1) of the 1951 Refugee Convention, which provides that “No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion”, the refusal of a state to permit the disembarkation of a humanitarian vessel in its port might appear to contravene this principle at initial glance (UNCHR, 1951). However, although it might have immoral outcomes, refusing to allow disembarkation does not violate this principle. As certain coastal states emphasize, simply refusing entry does not automatically mean sending someone back to danger (Barnes, 2004).

Putting the spotlight on the Open Arms case of August 2019, it becomes evident that the lack of regulation for safe disembarkation often results in disputes. The Catalan NGO rescued, in three different operations during the first and second day of that month, more than 120 individuals that shipwrecked in the Mediterranean between Libya, Malta and Italy. Consequently, Open Arms reached out to the maritime coordination centres of Malta and Italy, both of which maintained their policy of closed ports for migrants, and requested coordination for disembarking at a safe port. However, the Italian Minister of Interior, Matteo Salvini, cautioned that the ship could not enter Italian territorial waters, under penalty of a fine of up to 50,000 euros and potential confiscation of the vessel, while the Spanish Government, flag state, remained silent on the matter. "I believe it is already heading towards another port" said the Minister Spokesperson Isabel Celaá (El País, 2019). As a result, the NGO found itself once again without international protection and lacking support from either the flag state or the nearest state to the wreck, where, from an ethical standpoint, but not necessarily a legal one, the ship should be permitted to disembark.

To summarise so far, the obligation by coastal states to accept disembarkations has not been universally implemented into domestic law due to the lack of solid international documents.

3.2. National perspective on criminalization of solidarity

“States need to come together and address the gaps in proactive search and rescue, quick disembarkation, and safe regular pathways” said Federico Soda, International Organization for Migration (IOM) Director for the Department of Emergencies (IOM UN Migration, 2023). However, as historical evidence has demonstrated, this objective is not possible without a proper legal framework, which, as observed, is absent in numerous areas of sea rescue operations.

Although there are strong ethical arguments in favour of render assistance, some national states try to justify that there are equally compelling reasons to refuse this assistance, even in the absence of substantiated arguments to support their justification (Barnes, 2004). Article 19 (1) of UNCLOS provides that a “ship’s passage is innocent so long as it is not prejudicial to the peace, good order or security of the coastal State”. Article 19 (2) lists specific actions that count as threatening such as “using force against the sovereignty of the state, any act of propaganda affecting the security of the state or any act of loading or unloading of any commodity, currency or person contrary to the customs, fiscal, immigration or sanitary laws and regulations of the coastal State” (United Nations, 1982). Hence, given the interpretive nature of these articles, some states believe that refugees are a security threat to the country of arrival and consequently refuse entry.

The decision of a coastal state to deny a ship entry into its port is often justified by the state on the grounds of national security concerns, even if this supposed threat to the state is not proven. This phenomenon is justified in the realm of securitization within a realist discourse, according to which nations are the main actors in the international system and their main objective is to maintain their security and existence in hostile and competitive environments. States with this speech place a higher priority on security than they do on other ideals like economic growth,

democracy, or human rights. This may result in the prioritisation of military strength, territorial integrity, and strategic interests in policy. Some states adhere to this discourse to prevent humanitarian ships from accessing their harbours, citing a perceived security threat, despite the absence of any actual menace.

This discourse against migrant arrivals within securitization of migration is easily dismantled upon examination of data. The discourse positing that migrant arrivals would worsen the national economy, and therefore constitute a threat, is refuted when observing that countries experiencing higher levels of immigration often are the most successful economically. “A statistical analysis for 15 European countries over the period 1991-95 found that for every 1 per cent increase in a country’s population through immigration there was an increase in GDP of 1.25 to 1.5 per cent” (Artiles, 2004: 706-709). Economic migration, according to its basic theory, parallels a commercial transaction, with individuals seeking employment and employers offering opportunities. Typically, this arrangement is mutually beneficial and contributes to economic vitality. “As long as the marginal productivity of labour differs in various countries, the migration of labour is welfare improving” (Glover, ... & Willis, 2001: Chapter 2). Moreover, considering the recent low unemployment rate in Europe and the labour shortage resulting from the aging of population, the influx of migrants would improve this situation, potentially averting an economic recession (Colliac, 2023). Hence, the commonly espoused far-right rhetoric of “migrants are taking our jobs” is entirely unfounded; on the contrary, nation states nowadays are reliant on this workforce. In 2022, the average fertility rate in Europe was 1.46 live births per woman, indicating that women were having less than two children on average (Eurostat, 2024). Specifically, Spain and Italy, both countries examined in the Open Arms case, had rates of 1.16 and 1.24 live births per woman respectively, being the lower ones in Europe (Instituto Nacional de Estadística, 2023; Datosmacro, 2023). This observation underscores the reality of an increasingly aging population in Europe, compounded by a lack of children to provide generational relief. Consequently, the influx of migrants would serve to counteract this trend, thereby reducing the labour shortage.

In the case studied, Matteo Salvini, general secretary of Italy's Lega Nord party and interior minister at the time, alleged that the Proactiva Open Arms ship posed a security threat due to its offensive nature, and for that reason, the authorities were reluctant to authorize its disembarkation. In a subsequent interview, conducted sometime later during his trial for kidnapping, he stated that he fulfilled his “duty to safeguard my nation, its borders, and its security, a result of which I am particularly satisfied” (Bianconi, 2024). The national security perspective that Italian authorities assumed in this instance is framed within the concept of securitization of borders. In this, restrictive border controls are applied aimed at deterring the entrance of migrants.

Nevertheless, considering the points raised previously, it can be deduced that the securitization narrative used by some states such as Italy in the Open Arms case is indeed merely a rhetorical construct. Excluding the racist component and the unsubstantiated notion of “stop being white” threat, there are no solid arguments for prohibiting the maritime migrant arrivals (Capella, 2024).

As expressed by authors such as Max Weber, which made important contributions to the study of sociology of power, and Nicos Poulantzas, marxist political theorist, “undoubtedly, contemporary demagoguery uses spoken discourse” (Max Weber, 1921: 889). As Poulantzas provides, discourse is not simply a passive reflection of power relations, but an active tool that can be used to legitimize and naturalize certain forms of domination (Poulantzas, 1969: 284-289). Hence, this rhetoric used by some states essentially functions as a tool for mass mobilization by the political right, aimed at garnering additional voters, despite lacking a solid foundation. Through this populist discourse, issues such as the arrival of migrants in a territory are being elevated to the status of existential causes, despite not being so. In contemporary times, far-right parties are unable to offer alternative agendas such as enhancing the welfare state and improving quality of life. Consequently, they resort to racist discourses against welcoming migrants in order to secure their desired share of the electorate, perpetuating then its power through the legitimation of oppression.

4. Potential solutions for the challenge of maritime rescue and refugee shelter at sea

The need for changes in the international migration policies at sea is urgent. The ongoing loss of life at sea tragically highlights the ineffectiveness of the international framework to protect refugees and those providing assistance to them. Given the limitations of maritime international law, it is worth thinking about how refugees can be better protected and rescued at sea. Humanitarian organizations claim that “we send an urgent warning to the EU and its member states: if humanitarian assistance at sea continues to be obstructed, we are likely to see a drastically decreased – or even non-existent – presence of civilian search and rescue vessels in the Central Mediterranean by the end of the year” (Zampano, 2023).

It is imperative to eradicate, or at the least, reduce, the legal gaps within the international framework, and there exist various proposals for accomplishing this objective.

One of the initial proposals involves the establishment of a proper binding protocol for the process of disembarkation. Under this new protocol, when a vessel conducts a rescue operation at sea, individuals would be transported to the nearest port, where adequate measures would be taken to ensure the safety arrival of refugees. This protocol would be linked with the establishment or enhancement of housing and employment domestic legislation, aimed at providing the migrants proper conditions (Barnes, 2004). The UNHCR Executive Committee has been pushing for this proposal for a while, asserting that “it is the humanitarian obligation of all coastal states to allow vessels in distress to seek haven in their waters and to grant asylum, or at least temporary refuge, to persons on board wishing to seek asylum” (UNHCR, 2009: No. 15). This approach could provide a line of action for both states and humanitarian rescue vessels. However, this task is not straightforward, as international treaties necessitate ratification by as many nations as possible and surely many states would be hesitant to accept these conditions, given their reluctance to promptly receive refugees, as it happened with Italy in the Open Arms case. Thus, changing maritime law might be a long race and can not be accommodated in the imminent future.

Given the challenges associated with the initial proposal, such as the fact that a law of this magnitude can not be adopted in the short term, alternative solutions are being explored. If a new law is not feasible, the actual one should at the very least be interpreted in a manner that is favourable to those affected. As observed previously, the principle of non-refoulement is subject to interpretation by each actor involved. While one state may perceive the denial of disembarkation to a humanitarian vessel as a violation of this right, others may argue that denying entry does not necessarily imply sending individuals back to an unsafe location. Thus, with this recommendation, the interpretation of the article 33 of the 1951 Refugee Convention should be performed in 'good faith', as stated in the principle of 'pacta sunt servanda' of the Vienna Convention on the Law of Treaties (Van Berckel Smit, 2020).

Finally, a broader interpretation or even a redefinition of the concept of distress would also serve to improve the lack of international protection situation. According to Lord Stowell, distress encompasses not only physical emergencies but also moral ones (Barnes, 2004). If the focus is placed in this definition, the international right of allowing a vessel moor in a harbour without explicit consent of the coastal state would be broaden applied. Coastal states would consider a wider range of situations as distress and therefore would not criminalize NGOs that bring migrants to the nearest port. The debate, however, arises again, as it pertains to a fundamental structural issue inherent to ideals and discourse. Should this extended definition be dictated by a treaty or could it be left to a matter of moral judgment? It is difficult to determine, but one could attempt to lean on the premise that humans are not inherently malevolent, and that ethical and moral considerations exist. Hence, trust could be placed in the notion that if a moral definition is chosen, it would still be equally applicable. Alternatively, the recourse of jurisprudence could be used as a potential solution of the conflict regarding the definition of distress. If a judge would go to preside over a case in a court, such as the European Court of Human Rights, and would hand down a ruling that regulated the concept of distress or maritime disembarkation, jurisprudence would be created. Consequently, other judges would tend to follow this trend, and the definition of the concepts distress and disembarkation, and how to regulate it, would be broadened.

Despite these propositions, as communicated by Felix Capella, it is imperative to acknowledge that effective protection of humanitarian vessels remains contingent upon fundamental structural changes from the base of the system. Hence, to eradicate the problem, “we should change education from kindergarten” (Capella, 2024). It is imperative to endeavour towards changing societal ideals, eradicating racism. While reaching this ideal is certainly a long way off, an initial step could be to provide accurate information to the general population to counteract the prevailing misinformation, which currently obscures our perception (Capella, 2024).

5. Conclusions

To encapsulate the findings of this thesis, it is evident that, as the hypothesis provides, the international protection afforded to NGOs against the criminalization of solidarity enforced by national legislation within the domain of maritime rescue of refugees is limited and does not effectively bring to an end the challenges faced by these organizations. The criminalization of solidarity, particularly in the context of migrant support, has become increasingly prevalent in Europe, posing significant challenges to NGOs engaged in humanitarian assistance.

The current legal framework for assisting migrants in distress at sea is inadequate, characterized by significant gaps and tensions between international maritime law and national legislations. Although various treaties, including UNCLOS, SAR Convention and SOLAS, outline the duty to render assistance, its integration into domestic law is not satisfactorily carried. Hence, certain fundamental human rights, such as the right to asylum, are not properly safeguarded for individuals arriving in a country by sea.

The principal gap that the international framework is facing lies on the lack of clear rules for disembarkation. The deficiency of binding agreements to regulate the situation sometimes leads to disputes between coastal states, flag states and humanitarian vessels, as exemplified with the 2019 Proactiva Open Arms vessel incident. Furthermore, the ambiguous definition and interpretation of distress and non-refoulement, and their subsequent versatility according to the convenience of the actor involved, makes the regulation for disembarkation even more menacing.

From an alternate standpoint, coastal states that criminalize maritime rescue NGOs such as Open Arms for seeking access to their territorial waters usually adhere to the securitization discourse, a pure speech of mass mobilization used for the right-wing parties in order to get votes, with a special emphasis on national security concerns. These states lack substantial justification for targeting the arrival of migrants by sea; instead, their actions are primarily grounded in a discriminatory discourse based on racism.

In order to address and reduce the legal gap identified during the study concerning the international safeguarding of maritime rescue operations, a series of suggestions has been put forth to enhance the present-day situation. These ones include the establishment of a proper binding instrument to regulate the process of disembarkation, the interpretation of the existing legislation as favourable for those in vulnerable situations, the redefinition of the concept of distress to broaden the applicability of it and the implementation of jurisprudence.

Nevertheless, despite the urgency of this issue, implementing these proposed solutions face numerous challenges, including the reluctance of states to implement new legislations and the complexity of ratifying a new treaty, which implies garnering as much support as possible from member states in order to be considered broad enough. Thus, despite considering these suggestions, the fact that this conflict between nations and the international community is primarily rooted in structural issues must not be overlooked. Henceforth, it becomes evident that the problem goes beyond the lack of international protection for NGOs against state reprisals. While it remains factual that there exists no sufficient legal framework to regulate states conduct, there exists an ethical and moral obligation that is not being fulfilled. Thus, this debate surpasses mere legal gaps and inaccuracies, and the problem should be addressed from a structural approach in order to be fundamentally eradicated.

In conclusion, despite the challenges presented above, an effort of the international community is necessary to improve the situation in the Mediterranean Sea, where every year thousands of individuals die due to the failures of the system. Decisive action must be taken to address these inadequacies and prevent further loss of life on the water.

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Annex

Transcript in catalan of the interview with Fèlix Capella, Open Arms Fundraising Manager from February 2023 to March 2024

LV: Doncs res, primerament, si em podies descriure molt ràpidament, així, per sobre, els objectius i activitats d'Open Arms en l'àmbit del salvament marítim?

FC: És molt bàsic. És res, cap a gent que està amb aigües internacionals, quan estàs amb aigües internacionals no ets migrant, perquè són aigües no de cap país. D'acord, són naufragis. Aquestes gent són naufragis i el que fa Open Arms és rescatar naufragis i els porta a un lloc segur, un port segur.

D'acord.

Aquesta és l'activitat principal d'Open Arms.

D'acord, perfecte. Llavors, crec que encara no formaves part de l'organització, m'ha semblat, però segurament com a ciutadà, si que ho recordes, que és que l'agost del 2019 a una operació d'Open Arms, que entre l'1 i l'2 i l'3, crec, del 2019, es van rescatar entre Líbia, Malta i Itàlia, unes 120 persones que van ser parades alta mar durant 20 dies, ja que Salvini no va permetre aquest desembarcament.

Sí, un segrest, a això se li diu segrest.

He estat estudiant la llei internacional marítima que hi ha al voltant d'aquest àmbit, sobretot analitzant les UNCLOS, SAR, SOLAS, que són les lleis internacionals més importants, i sí que és veritat que hi ha articles que diu que és obligatori, és vinculant, està acceptat per la majoria de països, el rescat de naufragis al mar.

Vull dir, això s'ha de fer si hi ha un naufragi i l'has de rescatar. Inclús en períodes de guerra, eh? Sí, tu inclús si ara, per exemple, Israel enfonsés un vaixell d'un altre país, està obligat a rescatar les persones.

D'acord. Llavors, he estat com intentant trobar les mancances d'aquesta llei, perquè llavors, o sigui, per entendre per què, per exemple, Matteo Salvini va impedir aquest desembarcament d'Open Arms i com situacions semblants, d'acord? Llavors, el que he vist és que aquestes lleis tenen una principal mancança en el tema del desembarcament, i és que aquest no està regulat per llei internacional, sinó que depèn del dret dels estats poder entrar en un port. Llavors, creus que això és un problema, el fet que no estigui regulat?

Sí, sí, clar que és un problema. Ara, per exemple, el govern italià està inventant-se decrets perquè això no passi. Perquè no puguin entrar.

Ara, per exemple, un impediment que posa és que quan una embarcació de salvament marítim, com pot ser Open Arms, fa un rescat, se li assigna un port segur, que això és obligatori pel país. Ara el que està fent Itàlia és assignar el port segur el més lluny possible, a vegades a quatre o cinc dies de navegació, quan hi ha un port segur segurament a poques hores. I després no permet fer un altre rescat de camí al port. Últimament ho hauràs vist, ara ja fa uns mesos que no ens passa, però que s'ha detingut el vaixell d'Open Arms dues o tres vegades per fer això. Perquè vas de camí al port, i t'avisen que a poques milles hi ha un naufragi i per tant el vas a rescatar, com diu la Llei Internacional del Mar.

I llavors, segons el decret italià, et diu que això està prohibit. I llavors et detenen i et posen una multa que va entre 5.000 i 10.000 euros. Això a llarg termini, ja en judicis, acaba guanyant Open Arms o el vaixell que sigui, però s'han de sotmetre igualment a judici. Perquè la Llei Internacional té més poder que la Llei Nacional.

Clar, la internacional preval, no?

Sí, sí.

I has dit que s'ha d'obligatòriament assignar un port segur. Què vols dir amb això?

Un port segur és on aquestes persones puguin tenir l'atenció mínima, sanitària, tota l'atenció, i puguin fer les gestions que creguin. Demanar asil, tornar a casa o el que sigui. Què passa, però? Que hi ha gent que diu que no i els torna a Líbia. Però Líbia

no és un port segur, perquè allà els poden violar, els poden torturar, que és el que està fent Líbia ara, en aquests moments.

Però llavors aquest port segur qui l'assigna?

El país.

El país de les aigües on vols embarcar?

Sí, exacte. El més pròxim. El país que està més pròxim.

Per exemple, però, Malta no va firmar un decret, que ara de la Unió Europea no me'n recordo quin és. I a Malta el que passa és que no contesta, tal qual. Malta no dona senyals de vida. Perquè moltes vegades s'està a prop de Malta.

Llavors, si per exemple hi ha un rescat en aigües, molt pròximes d'... Espanya, Líbia, Malta o Itàlia, per exemple. Agafem Espanya, per exemple; llavors Espanya obligatòriament ha d'oferir un port segur?

Sí, però és que Espanya ja ho està fent amb Salvament Marítim. Espanya té una flota que és Salvament Marítim i està fent els rescats que veus a les Canàries, els fa Salvament Marítim. Per això Open Arms està actuant a Itàlia, perquè Itàlia no ho està fent.

D'acord, però Itàlia també hauria de fer-ho, veritat?

Sí, sí, en teoria... Bueno, és que la llei aquesta se la "passa pel forro" tothom, eh? O sigui, qualsevol vaixell que està navegant pel Mediterrani, si ve una pastera o una embarcació que necessita ajuda, s'hauria de socórrer per la llei internacional del mar.

Clar.

Que quasi ningú ho fa, eh? El que fan a vegades és avisar. He vist una pastera a tal lloc, i llavors entre les flotes d'ONG ens posem d'acord per socórrer. Però bueno, no hi ha prou, eh? O sigui, tu pensa, ara segur que algú s'està ofegant.

I ningú... Mira, per exemple, ara l'Open Arms a esta Xipre, ara és que no ho he mirat, però potser només hi ha quatre vaixells per cobrir tot el Mediterrani. Bueno,

tot el Mediterrani no, l'extensió a aquesta entre Tunísia, Líbia i Itàlia. Això vol dir que cada dia s'ofega gent. El que passa és que ningú els veu.

O això que dius, que els veuen vaixells i avisen, però no arriba mai l'ajuda, no?

Bueno, a part de Frontex. Saps qui és Frontex? Frontex té tota la informació. El mar Mediterrani és el més controlat del món.

I què passa? Que els europeus sabem que està morint gent. I ara hi ha algú que sap que algú s'està ofegant. Però els europeus hem decidit no fer res per aquestes vides. I això és així de cruel, però és veritat, Europa som racistes.

Sí, sí.

Mirem Ucraïna, em sembla que Europa va acollir dos milions de persones. No ens va passar res, no?

Ja, ja, i d'altres països no els volem acollir.

Quina diferència hi ha entre un Ucraïna i un senegalès? El color de la pell. I ja està. És un genocidi. L'Òscar (Camps) a vegades diu que els nazis utilitzaven el gas i els europeus estan utilitzant el mar.

Llavors, tu creus que aquest forat legal, aquest buit legal en la protecció internacional, s'hauria de canviar? S'hauria de canviar aquesta protecció internacional? És a dir, si tu ara et diguessin pots canviar el que vulguis, no el que vulguis a nivell de guerres, sinó el que vulguis a nivell legal, què creus que caldria? Quines solucions proposaries?

Bueno, és que hi ha els drets humans, el dret a la migració està establert en els drets humans, està a la llei.

O sigui, primer que canviaria... Bueno, és que no canviaria la llei. Faria que tothom pogués emigrar quan volgués. I més en casos de guerra o d'emergència. O sigui, la gent que es rescata Open Arms no és gent que fuig perquè vol.

I no vull fer una comparativa lletja amb Sud-Amèrica. Però, per on diries que entra el 70% de la migració irregular a Espanya?

Per Ceuta?

No. Per Barajas i el Prat. Venen amb avió amb visat de turista de Sud-Amèrica i es queden aquí. Clar, el que passa de Senegal, si ells poguessin demanar un visat des del seu país, és més barat i molt més segur, ho farien. Caminant o per mar tarden anys en arribar, i la majoria moren. Un bitllet d'avió, ara no ho he mirat, però de Senegal a Barcelona potser costa 300 euros. En canvi, per venir amb pasteres estan pagant milers d'euros. I es juguen la vida.

Si hagués de canviar alguna cosa, això seria, que s'apliquessin els drets humans. Ja està. És un gran canvi, eh?

Jo personal, vaig estar en una missió on vam rescatar una mare amb un bebè de tres setmanes. Tu imagina't com a mare si et poses en una pastera i estàs a punt de morir. Quina és l'altra opció? Imagina't el dolent que és l'altra opció que la mare decideix ficar-se amb una pastera amb un bebè de tres setmanes. No ho fan perquè sí. Les dones, quasi el 100% de les rescatades, han estat violades com a mínim una vegada. O sigui, moltes vegades estan embarassades, rescaten moltes embarassades i moltes són fruit de violacions.

I això els drets humans ho protegeixen. Però el que passa és que a Europa els drets humans ens importen una merda. I ja està.

No només els polítics, eh? Nosaltres també, perquè els polítics els hem posat nosaltres. El senyor Sánchez no s'ha passat per allà, mira, ara faig president. No, no, l'hem votat. L'estem recolzant.

Llavors, creus que per arribar a aquest compliment dels drets humans, els quals no s'estan complint, l'única manera és començar a sancionar a la gent que vulnera aquests drets humans? O creus que és més un problema estructural de base, que s'hauria de, dient-ho malament, rentar el cervell a tota la gent que no els compleix i fer-los entendre que s'han de complir?

Per mi, i el que et dic, són opinions particulars, eh, tot. Som una societat racista. I el primer que hem de canviar és això. Tu imagina't, mira, l'any passat, al Mediterrani hi va haver una xifra aproximada de 2500 morts o desapareguts. Tu imagina't que

ara al Pirineu apareguessin 3.000 cossos de gent blanca. Tothom correria. En canvi, sabem que han mort 3.000 persones al mar i qui fa alguna cosa?

Ningú, totalment.

Ara, l'altre dia es va aprovar començar a debatre sobre una llei nova de migració, que això no vol dir res. Bueno, hi ha una demanda social a Espanya que es van recollir 700.000 firmes perquè es comencés a debatre una nova llei de migració, la qual el PP i Vox i, bé, el PSOE fins al dia abans, estaven en contra, però era només començar a debatre la llei. O sigui, no és res més. Jo crec que no sortirà res, perquè després a Europa vam votar al contrari.

Si vols, mira, jo en la missió que vaig anar jo anava amb un Youtuber.

A quina missió vas anar tu?

Saps un Youtuber que es diu Lethal Crisis?

No...

Bueno, busca Letal Crisis. Té un vídeo de l'agost. Bueno, el setembre el va penjar. I allà s'explica bastant. I a més surt l'Òscar. També hi ha una entrevista a El Sentido de la Birra. Que són uns altres a YouTube, una entrevista a l'Òscar d'una hora on explica bastant els temes polítics i tot això.

Doncs m'ajusta moltíssim, la veritat.

Si tens alguna pregunta més, ja ho saps. Com més difusió fem de tot això, perquè la gent... Jo he vist una mare amb un bebè de tres mesos al mig del mar tirada. I a la pastera anàvem 60 persones. Un d'ells era enginyer informàtic, que aquí tindria un sou de 4 o 5.000 euros, eh? I l'única diferència és que és negre, eh?

Totalment. Avui ha sortit, he sentit a la ràdio, que ha sortit un altre estudi d'aquests que com el 55% dels que ja arriben aquí, que ja també són molt pocs, tenen feines per sota del qualificat.

Sí, sí, avui ha sortit, sí, sí.

I també mira CEHAR. Va fer públic fa poc un estudi on hi ha els percentatges de l'emigració regular. Doncs bé, ja veuràs que als països africans potser és un 5, un

7%, Venezuela és un 43%, coses així. Però la diferència és que els veneçolans són blancs i catòlics i poden pagar-se l'avió, la majoria, sense problemes. I els altres, són negres. No, si és que si poguessin demanar asil des del teu país, ja farien molt, però no poden. Quan arriben aquí, llavors demanen asil, depèn del país, et diuen sí o no, però, això, aquest sí o no trigarà 3 o 4 anys a donar-te'l. I durant aquest temps, no et pots moure del país però tampoc pots treballar. Què fas?

No, no, no pots fer res.

Doncs això. Som racistes, queda més clar que l'aigua.

A més a més, he vist que els governs que rebutgen el desembarcament de vaixells humanitaris justifiquen que realment no estan vulnerant el dret, perquè el que diu el dret és que tu no pots tornar a un migrant en la situació de perill, però ells diuen que no acceptant-los no els estan tornant a una situació de perill. Però, evidentment, és el que dius tu. Què fas durant quatre anys si no t'estan acceptant enlloc?

Totalment. Jo estic a favor que estiguin robant als supermercats per menjar. Clar, per què, què han de fer? O sigui, venen aquí i volen treballar, perquè tenen més ganes que ningú. I no els deixes treballar, doncs què... Com han de viure? És tot hipocresia i racisme.

Totalment.

No sé, si tens qualsevol pregunta, m'ho dius. Primer, si et veus aquests dos vídeos, perquè amb El Sentido de la Birra és una entrevista i l'Òscar explica bastantes coses d'aquestes.

Però és que, a veure, darrere de tot això hi ha interessos. O sigui, a Europa què s'està fent? S'estan externalitzant les fronteres. Ho vam fer amb Turquia. A Turquia què va passar? Quan venien de la guerra de Síria, Alemanya va dir, hòstia, en necessito un milió de mà d'obra. Hòstia, doncs tots cap a Alemanya. Quan en va tenir un milió va dir, hòstia, jo no en vull més. Ja prou, ja. Paguem milions d'euros a Turquia i que no passin. I llavors amb Líbia què passarà? El mateix. Itàlia està pagant milions a Líbia per tenir una policia, perquè és un exèrcit que en teoria és de salvament marítim, però el que són és tot patrulles, que inclús han disparat a flotes

humanitàries. Bueno, i què passa? Això està subvencionat per a Europa. Ara venen des de Tunísia, doncs s'ha de resoldre. Von der Leyen va anar l'estiu passat allà i pagaran diners a Tunísia, també, perquè calli. Al Marroc passa el mateix. Espanya està pagant el Marroc perquè intenti controlar les fronteres. I quan el Mohamed se li "inflin els ous" doncs decidirà deixar-ne passar uns quants, uns 100 o 200 milions més.

I, a més, que els necessitem, a veure. Perquè la natalitat està caient. Ara mateix a Espanya està per sota de 1,2. I llavors, quan estigui a 1, ens faltarà mà d'obra. I què farem? Els inventarem? O els imprimirem en 3D o què?

El tema del judici amb Salvini... O sigui, mira't la informació, perquè és petant, eh? O sigui, van arribar a utilitzar un submarí de l'Armada italiana per vigilar Open Arms. Mare meva. Llavors, van treure les imatges i els àudios al judici.

I doncs, què passarà?

Que sortirà culpable quan ja no sigui polític.

Tu creus que abans no?

Bueno, és el que passa, saps, d'un senyor que es deia Jordi Pujol? Has vist algun judici? Es morirà i ja està. I no passarà res. Doncs aquest, perquè va anar allargant i això és un procés legal molt costós econòmicament també.

Open Arms té oficina a Itàlia i el gran part del pressupost d'Itàlia va a advocats.

I el segrest, saps com es va desencallar una mica?

Com?

Amb el Richard Gere, amb l'actor. Ell estava per allà i llavors ens coneixia i tal, i va trucar i va dir, hòstia, què puc fer? I se li va dir, vine al vaixell, i fes una foto. Recorda, el vaixell és bandera espanyola, és territori espanyol.

Totalment, sí.

Si neix un nen al vaixell, és un nen espanyol.

Llavors va estar parlant amb el Pedro Sánchez, hòstia, ajuda'ns, no sé què. Bueno, anava donant llargs. Llavors el Richard Gere va venir al vaixell i va sortir a tots els mitjans del món. I què va fer el senyor Pedro Sánchez que volia trucar al Richard Gere? Doncs va haver de trucar a Open Arms, ja que no té pas el contacte de Richard Gere.

Llavors, al sortir a tots els mitjans, el fiscal va pujar al vaixell, va veure la situació i va ser quan va acusar el Salvini.

Ja, però això va ser 20 i escaig dies més tard.

Però clar, l'acusació de Salvini és del fiscal italià, no de Open Arms. Qui va acusar Salvini és el fiscal. No Open Arms, Open Arms està pel mig, clar, és del vaixell. Però l'acusació principal va ser del fiscal.

I, a més, ara tots els companys de Salvini l'estan deixant sol. Perquè ell diu que això és la política que tenia el govern italià i ara els seus companys... Tots els seus companys han dit que no, que ell va tirar pel dret i sol.

Però.... bé, si necessites ajuda fes-m'ho saber.

Ja t'ho passaré si t'ho vols llegir, també.

D'acord! Jo ajudo a diferents ONGs i també ajudo a un noi de Ghana i conec gent del Senegal i és que és molt bèstia el que estem fent. És molt fort. Perquè aquesta gent l'únic que vol és viure en un país on no se'ls torturi ni els matin. Treballar ja està, no volen remes. Tots els que veiem pel carrer recollint, ferralla i tot... L'únic que volen és treballar. Si algú els donés una feina....

Ara, amb la llei aquesta que s'ha aprovat es comença a parlar de regular això. Diu, hòstia, hi ha més de 500.000 a Espanya sense documentació per treballar. I el que es busca és regular aquestes 500.000 persones. I és mà d'obra?

Però creus que s'acabarà aprovant?

Què va, jo crec que això és... Clar, és que si el PSOE arriba a dir que no admet el tràmit, és que vas contra els drets humans. O sigui, el que està fent PP o Vox és anar contra els drets humans.

Perquè això vol dir que vols tenir 500.000 persones del teu país que visquin al carrer.

És molt fort.

Sí. Però ja veuràs, parla amb els teus amics, amb el teu entorn. La gent tot això no sap res i tampoc li interessa, eh? Jo perquè he treballat amb Open Arms i llavors pregunten... Però hi ha molta desinformació, moltíssima. I llavors d'aquí surt el racisme, lligat a que l'educació avui en dia és racista i masclista. A Espanya i a Catalunya, eh? Llavors, no anem enlloc amb aquesta base. Si em preguntes què vull canviar? El que hauríem de canviar és l'educació des de P1.

Totalment. L'altre dia em vaig trobar una senyora al tren, argentina, que estava parlant amb el seu fill i es va posar a criticar que hi havia un noi, possiblement del Marroc, que, segons ella, li estava prenent la feina. Llavors, el seu fill li va dir, “però mare, tu ets igual de migrant que ells, ho saps, veritat?”, i això em va fer reflexionar.

No, però jo aquests ho acabo ràpid. És que, tenim un problema de racisme molt gros.

Bueno, tu fes apologia i explicar la realitat. Entre tots canviarem una mica el món.

Sí, esperem. Moltes gràcies, de debò.

Res, a mi m'agrada parlar perquè com més gent sàpiga la veritat... millor. O sigui, hem de canviar la societat. I si no ho anem explicant i no critiquem les coses mal fetes, i denunciem, sobretot hem de denunciar tot el que està malament. Perquè si no, ningú fa res.

Totalment, moltes gràcies i que vagi bé el dia.

Igualment, adeu!