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Rescuing refugees at sea

New FRONTEX rules an improvement but concerns remain as regards treatment of refugees

The European Parliament today voted to confirm new EU legislation governing sea missions by FRONTEX, the EU's border management agency. The Greens acknowledged some improvements in the new rules but expressed concern that it will still fail to offer full protection to refugees. After the vote, Green migration policy spokesperson **Ska Keller** stated:

"The protection of refugees at sea is an inviolable principle that the EU should uphold. While the rules adopted today include some clear improvements on the current situation, concerns remain that FRONTEX sea operations will still be able to repel refugee boats without properly assessing whether refugees on intercepted boats need protection in the EU. This would be at odds with a European Court of Human Rights (ECHR) ruling on the duty to protect refugees at sea (1).

"The new rules contain binding provisions on search and rescue. Importantly, the fundamental principle of non-refoulement of people who face persecution is explicitly detailed in the new rules, following Green insistence. FRONTEX will also have a duty to include medical assistance, translation and legal advice in planning its operations. However, concerns remain. As a translator does not have to be on board the FRONTEX boat and only available to be called if necessary, there is no guarantee that refugees can make it clear that they need protection in the EU. Refugees will also have no means to contest an attempt to send boats back. This is in spite of the fact that the ECHR judgement made clear that refugees must be given immediate legal means to appeal any such decision. This is unacceptable for the Greens."

(1) Judgment of the European Court of Human Rights in the case of Hirsi Jamaa and others against Italy from February 23, 2012

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Ska Keller

Member

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