

# MIGRATIONS

## MIGRATION AND HUMAN SOLIDARITY

Panel Discussion and Book Presentation

Held on 25 April 2019, Palais des Nations, Geneva



**GENEVA CENTRE FOR HUMAN RIGHTS ADVANCEMENT AND GLOBAL DIALOGUE**  
مركز جنيف لحقوق الإنسان والحوار العالمي  
**CENTRE DE GENÈVE POUR LA PROMOTION DES DROITS DE L'HOMME ET LE DIALOGUE GLOBAL**

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# **Migration and Human Solidarity**

# PREFACE

I have the pleasure of presenting this brochure upon an event which is a follow-up to a series of initiatives undertaken by the Geneva Centre, on the theme of people on the move in the context of the current refugee and migrant crisis, a crisis which to a substantial extent is man-made.

In December 2015, the Geneva Centre held a panel debate in Geneva entitled *“The Current Migrant Crisis: an Aftermath of the Arab Spring?”* in which it analysed the insecurity driven migration from the Middle East towards Europe following the Spring 2011 uprisings. This debate also provided an opportunity to identify good-practice models for the enhancement of migrant rights in countries of origin and of destination, that the latter are sometimes true to the concept of “host countries” and sometimes less so.

This event was followed by a second major panel discussion held on 14 December 2017 on the theme *“Migration and human solidarity, a challenge and an opportunity for Europe and the MENA region.”* The rich debate provided novel insights into the interplay between the causes and the consequences of insecurity driven, whether political, economic or social, migration from the Middle East. It also offered a more holistic approach of the protracted migrant and refugee crisis affecting this region, and introduced the parameter of climate change in the equation. The outcome of the debate underlined the urgent need for a re-conceptualization of global human mobility, for consensus and joint solutions.

The Geneva Centre, in collaboration with IDMC, organized a third panel debate on 21 March 2018 on the theme of protecting people on the move, with special emphasis on internally displaced persons in the context of the refugee and migrant crisis. This panel discussed the issue of internal displacement from a global perspective, and addressed the challenges in protecting and ensuring the safe return and reintegration of IDPs.

These series of panel debates led to a two volume publication by the Geneva Centre, in December 2018, entitled *“The Unprecedented Rise of People on the Move in the 21<sup>st</sup> Century.”* The present brochure encapsulates the results of a panel debate held on 25 April 2019 on the occasion of the launch of this publication.

Europe and the Arab region continue to be at the center of a sweeping rise of people on the move around the Mediterranean sea, which is becoming a liquid grave to too many people dehumanised by Fortress Europe as just...statistics. I wish to express my deep admiration to those panellists who have saved numerous lives by air and sea and to whom the present report is devoted. Their increasingly harrowing experiences point to the urgent need to ensure the safety of rescue missions rather than hamper their operations. One should also protect the rights of migrants and refugees, as well as decriminalise solidarity, promote a sharing of responsibility by resorting to dialogue and alliance building, reinforcing international solidarity and justice. Therein lies a path in everyone’s mutual interest, which will harness the power of migration and human mobility for development, defend equality and celebrate diversity.



Ambassador Idriss Jazairy  
Executive Director  
Geneva Centre for the Advancement of  
Human Rights and Global Dialogue

## Proceedings of the panel discussion

The Geneva Centre for Human Rights Advancement and Global Dialogue (hereinafter the “Geneva Centre”) organized a panel discussion entitled Migration and Human Solidarity on 25 April 2019 at Palais des Nations. The event was an opportunity for the Geneva Centre to officially launch its latest publication on the causes and consequences of migration today, including refugees and internally displaced persons (hereafter IDPs), entitled “The Unprecedented Rise of People on the Move in the 21<sup>st</sup> Century.”

The focus of the panel was, among others, on the following points:

- The increasing hostility towards migrants and refugees in European societies and the manipulation of this issue for political ends, resulting in particular from the rise of populist movements and the exacerbation of xenophobic, particularly Islamophobic, sentiment, leading to acts of violence against refugees and migrants and to the denial of their human rights in transit and destination countries;
- The growing penalisation/criminalisation of migration and of solidarity in the context of today’s crisis;
- The role of civil society in addressing the plight of people on the move and in promoting the respect of human rights of migrants, refugees and asylum-seekers;
- The need to identify durable solutions to the protracted migration and refugee crisis, particularly in light of the adoption of the Global Compact on Refugees and the Global Compact on Migration;
- The importance of multilateralism and international cooperation in the context of this crisis.

The members of the panel were experts with first-hand experience in the current migrant and refugee crisis, and their presentations highlighted concrete problems observed during their work on the ground, in coordinating rescue operations and aid distribution, or documenting and raising awareness of the situation. The panel included **Monsignor Robert J. Vitillo**, Secretary General of the International Catholic Migration Commission; **Mr José Benavente**, President of the French Association Pilotes Volontaires; **Ms Julie Melichar**, Citizen Mobilisation & Communication Officer at SOS MEDITERRANEE; **Ms Camille Pagella**, journalist at L’Illustré (Switzerland) and **Mr Adrià Budry Carbó**, journalist at Le Temps (Canton of Geneva), joint recipients of the first ACANU (Association of Accredited Correspondents at the United Nations) Prize for Reporting on Human Rights Issues.

**Ambassador Idriss Jazairy**, Executive Director of the Geneva Centre, delivered opening remarks and moderated the panel debate.





*The members of the panel, from left to right: Mr José Benavente; Monsignor Robert Vitillo; Ambassador Idriss Jazairy; Ms Julie Melichar; Ms Camille Pagella and Mr Adria Budry Carbo.*

In his opening remarks, Ambassador Jazairy deplored the tendency of most European States to avoid responsibility for lives lost due to the “Fortress Europe” syndrome. The Executive Director of the Geneva Centre reiterated the need to distinguish between the migration crisis *per se*, which is caused by a lack of economic opportunities, poverty, as well as the adverse effect of climate change on people’s livelihood, and the refugee crisis, mainly triggered in the past by conflict and war, and increasingly by climate change. He underscored that the push factor of refugee flows is man-made and should be acknowledged as such. He reiterated that migration and displacement had been a constant part of human evolution, and that the current migration flows are dubbed “a crisis” particularly by fabricated nationalist narratives.



*Ambassador Idriss Jazairy,  
Executive Director of the Geneva Centre*

Furthermore, Ambassador Jazairy noted that the Mediterranean Sea had turned into a liquid graveyard. He quoted IOM’s global statistics revealing that over 3400 migrants and refugees lost their lives in 2018. At least 2’297 of the deaths occurred in the Mediterranean Sea.

The Executive Director of the Geneva Centre saluted the rise of civil society organizations willing to step in, to offer protection and to save migrants’ and refugees’ lives. He commended these rescue organisations for their endeavours, despite the criminalisation of their action to save lives, dubbed a “*délit de solidarité*”.

In his presentation, **Monsignor Robert J. Vitillo** deplored the growing trend to build legislative and administrative walls and barriers rather than to offer solidarity to people on the move in the context of today’s displaced populations. In his presentation, he referred to HH Pope Francis’ Message for the Catholic Church’s 104<sup>th</sup> observance of the World Day of Migrants and Refugees, on 14 January 2018. In his address, Pope Francis highlighted the religious and moral leadership of the Catholic Church in offering “motherly love to every person forced to leave



*Monsignor Robert Vitillo, Secretary General of the International Catholic Migration Commission*

their homeland in search of a better future". His Holiness also deplored the "collective and arbitrary expulsions of migrants and refugees, (...) particularly where people are returned to countries which cannot guarantee respect for human dignity and fundamental rights."

Further quoting the words of HH Pope Francis, Monsignor Vitillo underscored that the problem of statelessness that numerous migrants and refugees faced could be easily tackled through "the adoption of nationality legislation in conformity with the fundamental principles of international law". Monsignor Vitillo presented the extensive work of the International Catholic

Migration Commission, inspired since its creation in 1951 by Catholic social teaching. He concluded his remarks with a strong call for governments to improve their response to migrants and refugees, noting that "All human beings long for a better and more prosperous life, and the challenge of migration cannot be met with a mind-set of violence and indifference, nor by offering merely partial solutions." Responding to Ambassador Jazairy's question on the role of religious leaders in this crisis, he highlighted their pivotal role in countering the toxic narrative surrounding people on the move, and emphasized the importance of political will to find a durable solution to the migrant and refugee crisis.

**Mr José Benavente**, President of the French Association *Pilotes Volontaires*, deplored in his presentation the fatalities of the migratory routes in the Mediterranean region. He recalled the testimonies of displaced persons who pass through Libya to reach European soil. These testimonies depict the inhumane conditions and violations of human rights characterizing these passages, including torture, human trafficking and sexual abuse.

Based on his first-hand experience, Mr Benavente offered a detailed description of the often improvised and always dangerous crossings of the Mediterranean Sea in wooden or inflatable boats. He underscored the overloading of boats, the dangers of asphyxiation with fuel vapours, the lack of food and water. Furthermore, he underscored that at the moment when these boats start drifting in high seas, the countdown starts for the lives of the refugees and migrants on-board.



*Mr José Benavente, President of the French Association Pilotes Volontaires*

As a pilot, Mr Benavente highlighted the fact that these boats are often difficult to spot in high seas. Oftentimes, he said, rescue ships arrive too late, only to find semi-floating shipwrecks and no survivors. In this regard, Mr Benavente and a partner created the association *Pilotes Volontaires*, to respond to the need of quickly identifying persons in distress at sea by aerial means. They fly over a specific portion of international waters off the coast of Libya, where more than 20 000 lives were lost over the past four years.

Mr Benavente highlighted that, in 2018, *Pilotes Volontaires* in partnership with search and rescue ships identified 45 boats and saved more than 4000 persons. He concluded by underscoring the urgent need of the association for increased financial means and donations in order to pursue its rescue operations. Finally, he called for a concerted effort from the international community to ensure that rescue operations are carried efficiently, rapidly and in full respect of International Maritime Law, which stipulates that all

survivors must be disembarked in a safe haven.



*Ms Julie Melichar, Citizen Mobilisation & Communication Officer at SOS MEDITERRANEE*

**Ms Julie Melichar** of SOS MEDITERRANEE highlighted the work of her association, noting that since the launch of their search and rescue operations, the Aquarius ship<sup>1</sup> had welcomed more than 29,532 survivors on board. According to Ms Melichar, the objectives of the organization were threefold: rescue, protect and testify.

Echoing the concerns of previous panellists, Ms Melichar underscored the growing loss of lives at sea as a result of the lack of rescue capacities and of “recurring violations of international and maritime law.” She further deplored the ongoing blocking and harassment of search and rescue NGOs. In this regard, Ms Melichar recalled that at this moment, almost all NGO rescue ships are prevented from leaving European ports, with hundreds of people left to drown at sea, or unlawfully returned and exposed to inhumane conditions.

Furthermore, Ms Melichar recounted her experience during the first standoff of the Aquarius ship in 2018. As with other rescue ships, the Aquarius had fallen victim to political manipulation, stripped of her flag and blocked in various ports in the Mediterranean Sea on several occasions in 2018, until her activities were completely stopped towards the end of last year.

Ms Melichar denounced the actions of the Libyan Search and Rescue Region, created as a result of the Malta Declaration signed in February 2017. She remarked that NGOs<sup>2</sup> had to pursue their role of testifying and condemning these violations of maritime law. With regard to the “*délit de solidarité*”<sup>3</sup>, she noted that almost all legal investigations brought against humanitarian workers in the context of the crisis had been annulled because of lack of evidence, as NGOs worked in full respect of the legal framework. Finally, she concluded by deploring a “paradoxical situation: civil humanitarian ships, who conduct legal search and rescue operations and respond to the duty to deliver assistance, are being criminalised by States who cease to uphold the very treaties and conventions that they themselves have ratified.”

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1. Aquarius is a rescue ship which has been operated by SOS Méditerranée and Doctors Without Borders since 2016 to rescue migrants and refugees stranded at sea.

2. On 20 May 2019 <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24628&LangID=E>, a group of UN human rights experts consisting of González Morales, Special Rapporteur on the human rights of migrants; Nils Melzer, Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; Maria Grazia Giammarinaro, Special Rapporteur on trafficking in persons, especially women and children; E. Tendayi Achiume, Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; Michel Forst Special Rapporteur on the situation of human rights defenders; Obiora C. Okafor, Independent Expert on human rights and international solidarity condemned a proposed draft decree by the Minister of Interior of Italy, Matteo Salvini, to fine organizations and individuals who attempt to rescue sea stranded refugees and migrants and even to revoke or suspend the licence of boats used by NGOs in this regard.

The UN experts said that, should the decree – yet to be approved by the government – enter into force, it would seriously undermine the human rights of migrants, including asylum seekers, as well as victims of torture, of trafficking in persons and of other serious human rights abuses. They urged the government of Italy to halt its approval and to stop further political attempts to criminalise humanitarian actors delivering life-saving services to migrants and refugees.

In conclusion, the experts likewise underlined that the claim that Libyan ports were “able to provide migrants with adequate logistical and medical assistance” was particularly alarming, especially given reports that Libyan coastguards had committed multiple human rights violations, including collusion with traffickers’ networks and deliberately sinking boats.

3. French expression criminalizing rescue action motivated by solidarity..





*Mr Adria Budry Carbó, journalist at Le Temps*



*Ms Camille Pagella, journalist at L'Illustré*

The Swiss journalists **Camille Pagella** of L'Illustré and **Adria Budry Carbó** of Le Temps recounted their experience on board the Aquarius ship in 2018, which resulted in the publication of a joint extensive coverage entitled “Piège en haute mer” that won the ACANU Prize for Reporting on Human Rights Issues. The fact-finding mission of the two journalists on board the ship occurred in the context of the Italian elections last spring, and against the background of a growing populist trend, with European politicians pledging to block the activities of humanitarian ships in the Mediterranean Sea. Mr Budry described various attempts of the ships of the Libyan Coast Guard to harass and block the rescue actions of the Aquarius.

Similarly, Ms Pagella described a joint effort between the Aquarius and the Astral ship of the NGO Proactiva Openarms, involving the transfer of over 100 persons in distress, blocked for hours by the Maritime Rescue Coordination Centre in Rome.

The joint presentation highlighted the constant harassment attempts of the Libyan Coast Guard, which is often supported by European States, aimed at blocking the actions of humanitarian ships. They condemned the intimidation practices used by the Libyan Guards, as well as the out-sourcing of the responsibility for the migrants and refugees in the Mediterranean Sea by the surrounding European States. They deplored the inhumane conditions in which migrants and refugees crossed the sea, the insecurity and lack of supplies, which they could witness first hand during their mission. Their poignant testimony reminded the audience that beyond the politicization of the migrant and refugee crisis, there was an ongoing man-made humanitarian crisis that was overshadowed by populist narratives.

*Some members of the panel, from left to right: Monsignor Robert Vitillo, Ambassador Idriss Jazairy, Ms Julie Melichar, Ms Camille Pagella and Mr Adria Budry Carbo*





Replying to a question from the moderator, **Monsignor Vitillo** emphasized that religious leaders need to help believers to turn teachings into practice, irrespective of their religious belonging.

According to the speaker, religious leaders need to play a more significant role to change the pervasive toxic narratives and policies against migrants and refugees.

With regard to the so-called “unmanageable flows” of migrants, he noted that it all depended on the willingness to help. In this regard, Monsignor Vitillo referred to the example of Uganda where 300,000 refugees live in camps in acceptable conditions, and in harmony with the local population. They have the possibility to remain in the country as full-fledged members of the local society, or to return to their home country, if they wish to.

Regarding the role of various stakeholders in tackling the issue of people on the move, **Mr Benavente** remarked that humanitarian organizations were deploying their best efforts, but at the end of the day, the main responsibility remained with States, which need to respect international legal conventions regarding migrants and refugees in precarious situations such as those prevailing in the Mediterranean Sea.

Addressing **Ms Julie Melichar**, Ambassador Jazairy inquired about the reaction of humanitarian NGOs regarding the growing criminalization of solidarity and rescue. Ms Melichar reiterated that the majority of investigations against NGOs or individuals regarding the rescue of people at sea were either dropped for lack of evidence, or led to acquittals. This shows that they did not engage in illegal activities and that they pursued their rescue operations in full respect of the law. She emphasized that the fundamental role of NGOs was to speak up about the multiple violations of international law applicable to people in distress at sea, and about the numerous lives lost as a result of these violations in the Mediterranean Sea. She added that NGOs’ testimonials with regard to the human rights violated at sea and in detention centres, in transit countries such as Libya or in host countries, were an important means of raising awareness.



*Ms Julie Melichar, Ms Camille Pagella and Mr Adria Budry Carbo*

Questioned about the role of the media in combatting toxic narratives about migrants and refugees, Mr Budry Carbo remarked that this type of heinous discourse should not be combatted but rather opposed with legal arguments and concrete facts. A narrative based on rigorous research, but also on tolerance and solidarity should be used in response to toxic and xenophobic speech. In this regard, Mr Budry Carbo noted that the responsibility of media and journalists is to point out that the facts used in populist, extremist speeches are incorrect. He further referred to the elections in Spain that took place on 28 April 2019. The populist, far-right party Vox had been excluded from the national debate, which for Mr Budry Carbo was not an appropriate action, as in this case, the toxic narrative used by Vox on topics like

migrants and refugees could no longer be opposed by other parties with a discourse based on facts and numbers.

Ms Camille Pagella spoke of the role of the media in general in raising awareness of the ongoing issue of displaced persons. According to Ms Pagella, from 2015 onwards, the media had been attacked on the way they reported on migrants and refugees, owing to the fact that journalists were oftentimes not properly trained. She referred to the terminology used by some as being incorrect or misleading, and to the reductive depiction of migrants and refugees in media coverage as either helpless victims, or as a threat to the identity of residents of host and transit countries.

Ms Pagella insisted on the responsibility of journalists to provide concrete facts and figures and to highlight the positive contributions of migrants and refugees in the social and economic spheres of host and transit countries, including the promotion of diversity and social inclusion. Ms Pagella further remarked that, owing to the fact that most journalists sent in the field were men, the stories of women migrants and refugees remained poorly covered, due to a lack of access and at times, a lack of interest of male journalists.

In this connection, Ambassador Jazairy agreed that the media have an important role to raise awareness of the everyday plight of people on the move, because politicians tend to “dehumanize” them, by reducing them to figures without personal identities.



*Ambassador Michel Veuthey, Deputy Ambassador of the Permanent Delegation of the Sovereign Order of Malta*

During the ensuing Q&A session with the audience, Professor Michel Veuthey, Deputy Ambassador of the Permanent Delegation of the Sovereign Order of Malta, added that it was important to take preventive measures by ensuring the harmonious integration of migrants. He also referred to the importance of deploying all efforts to resolve the conflicts which lay at the source of these migratory crises (in the MENA and Sahel regions).

Ambassador Jazairy highlighted that there was a double dimension to this issue. On the one hand, as long as the conditions for safe return are not guaranteed, the migrants and refugees will remain in host and transit countries. On the other, there is need for the world community to recognise the right of peoples to make their own choice to freely choose their governments. However, the current tendency to internationalise internal conflicts aggravates the problem. As

*Members of the audience during the panel discussion*





a consequence, restrictive policies were developing worldwide, such as strict border controls, the “Fortress Europe” syndrome. If the resources used on these policies could be instead invested in the countries of origin of these migrants and refugees, for stabilizing the socio-economic situation, this could represent a viable solution to mitigating migrant and refugee flows.

Following this discussion, a representative from the Norwegian NGO Justice and Development referred to the ongoing internal conflict in Libya, observing that the rebel leader Khalifa Haftar was bombarding the refugee centres around Tripoli. Ambassador Jazairy observed, indeed, that refugees should be spared from the adverse impact of internal conflicts which do not concern them.

Mr Budry Carbo noted in this context that it was a violation of international law for the Libyan Coast Guards to forcibly bring back the fleeing refugees to the country which is far from safe.

A representative from the Permanent Mission of Cameroon to the UN in Switzerland added that the current toxic discourse on migration is driven by the fact that the inflow of migrants is considered as a security threat to the national sovereignty of the destination countries concerned. Therefore, it was contradictory that the very States that pretended to promote human rights actually contributed to their violation in the name of sovereignty. Such policies, she said, are contrary to the positive concepts of globalization, unity, humanity and universalism.

A civil society representative noted that the arms industry is at the heart of the matter. The sales of arms by the West to most countries currently in conflict greatly aggravate the migrant and refugee crisis.

Ambassador Jazairy responded by stating that in fact the peace dividends promised after the end of the Cold War never materialised and, on the contrary, a new arms race of huge proportions is now adversely impacting on proxy wars conducted in different regions of the world. This illustrates the underlying paradox where the very countries that speak of peace and human rights account for the largest exports of arms. Furthermore, Mr Budry Carbo added that civil society played an important role in raising awareness of the issue of the arms trade. He spoke of the case of Switzerland, which was on the point of adopting new legislation relaxing conditionality related to the arms trade but the draft law had been withdrawn because of a strong, exemplary citizen mobilization against it.



*Representative of ICMC taking the floor during the Q&A session*



*Participant addressing the audience*

A representative from ICMC brought up the issue of monitoring and addressing the problems of human trafficking inherent in the migrant crisis, especially on board humanitarian ships that rescue people at sea. She underlined the need for mechanisms to stop this cycle of violence.

Ambassador Jazairy responded by observing that trafficking is a crisis within the broader refugee crisis, but is not the “mother” of the refugee crisis as it is made out to be in “Fortress Europe”.

Ms Melichar said that on rescue ships it is difficult for humanitarian NGOs such as Médecins Sans Frontières to identify victims of human trafficking, due to lack of sufficient staff and time limitations, but these organizations were making efforts in identifying certain categories of vulnerable persons such as unaccompanied minors, victims of torture and of sexual assault.



Mechanisms were put in place and the survivors were further referred to other competent humanitarian organizations.

Monsignor Vitillo added that trafficking concerns a much wider issue spread throughout the world and includes forced organ removal, sexual slavery and other atrocious violations of human right. He reiterated the gravity of this issue and called for a global, more enlightened discussion on this, to jointly identify solutions and preventive mechanism.

A student from Colombia referred to the situation in her country, where the government had increased its national debt in order to help Venezuelan refugees. However this had come at the cost of the well-being of ordinary Colombians themselves. The country was experiencing heightened violence, and as a result of growing tensions, the displacement of Colombians had once again emerged and the general situation remained unstable.

Monsignor Vitillo replied stating that Colombians were once refugees and were helped by other countries. He remarked that this was not an “either/or” situation, but a question of appropriate distribution of resources between priorities. In addition, migrants and refugees bring positive inputs to the country in the mid- and long-term which should not be overlooked.

# Statements

## Rev. Msgr. Robert J. Vitillo

### Secretary General, International Catholic Migration Commission

I would like, first of all, to thank Ambassador Jazairy and his staff for their dedication and perseverance in raising the attention of the international community, including religious leaders, governmental and multi-lateral agency officials, and civil society in general, to the plight of all migrants, refugees, asylum seekers, and internally displaced persons, in a world that seems more intent on building walls, as well as legislative, administrative, and attitudinal barriers than on offering solidarity to those forced to flee their homes and local communities because of a variety of root causes, including persecution, discrimination, conflict, absence of rule of law, as well as natural disasters and climate change.

As many of you may already be aware, HH Pope Francis has assumed a key role in raising similar concerns from the position of his religious and moral leadership of the Catholic Church. Since the International Catholic Migration Commission, for which I am privileged to serve as the Secretary General, was, and continues to be, inspired by Catholic Teaching, I would like to share some of HH Pope Francis' concerns, which he frequently shares in many of his messages, writings, and preaching. I will focus on his Message for the Catholic Church's 104th observance of the World Day of Migrants and Refugees, held on 14 January 2018. On that day, Pope Francis stated the long-held belief that the Church is called to express "motherly love [to] every person forced to leave their homeland in search of a better future."<sup>4</sup> Far from identifying this as an exclusive responsibility, Francis quickly added that this duty is shared "with all believers and men and women of good will, who are called to respond to the many challenges of contemporary migration with generosity, promptness, wisdom and foresight, each according to their own abilities."<sup>5</sup>

HH Pope Francis went on to insist that "collective and arbitrary expulsions of migrants and refugees are not suitable solutions, particularly where people are returned to countries which cannot guarantee respect for human dignity and fundamental rights." He declared that "the principle of the centrality of the human person ... obliges us to always prioritise personal safety over national security" and appealed, "for the sake of the fundamental dignity of every human person, we must strive to find alternative solutions to detention for those who enter a country without authorisation." He suggested that "the statelessness which migrants and refugees sometimes fall into can easily be avoided with the adoption of nationality legislation that is in conformity with the fundamental principles of international law." He called for the promotion of the integrity of the family, "supporting family reunifications – including grandparents, grandchildren and siblings – independent of financial requirements." He assured the readiness of the Catholic Church to work toward the achievement of all the efforts he had proposed, but also acknowledged that "... in order to achieve the desired outcome, the contribution of political communities and civil societies is indispensable, each according to their own responsibilities."

The International Catholic Migration Commission strives to take the Teaching of HH Pope Francis and all his predecessors since our founding in 1951 and put them into everyday practical action by welcoming, protecting, promoting and integrating uprooted people in all parts of the world. In this diverse gathering, I wish to strongly affirm that all ICMC's efforts are undertaken without any regard for national, ethnic, social, economic, or religious identity of

4. Pope Pius XII, Apostolic Constitution *Exsul Familia*, *Titulus Primus*, I.

5. Pope Francis, Message for 104th Day of Migrants and Refugees, 14 January 2018, Vatican City.



those whom we serve. Nor do we ever engage in any form of proselytism, which is clearly proscribed in our Staff Code of Conduct.

Our activities include those organised by our national Catholic member organisations, mainly composed of the Catholic hierarchy, or bishops, in each country of the world. In many cases, they are responding to the needs of arriving refugees, internally displaced persons, those being trafficked to and from their respective countries, as well as the diaspora from their countries who now live elsewhere but still seek defence of their rights and dignity and the provision of social, legal, and, when requested, spiritual support, in the languages, and consistent with the local culture and customs, of their countries of origin. I think, for example, of ICMC member organizations in Burundi, South Sudan, Democratic Republic of Congo, Central African Republic, Papua New Guinea, Ukraine, Sri Lanka, Venezuela, Colombia, just to name a few, all of which are simultaneously engaged in the services, accompaniment and advocacy efforts that I just described.

During 2018, in addition to our networking activities, ICMC provided direct humanitarian assistance in a number of current “hotspots” for refugees and other migrants. In Jordan, we assessed the protection needs of 23,000 vulnerable Syrian refugees and helped many of them with legal counselling so that they could obtain documentation to live outside camps, in urban areas of the country. In Pakistan, we provided primary health care services to some 130,000 Afghan refugees in border camps, offered legal and information services to refugees in many parts of the country, and assured access to safe drinking water and sanitary toilet facilities for some 10,000 refugees in the Gandaf refugee camp. In Syria, where the majority of the present population is constituted by internally displaced persons, ICMC provided access to safe delivery and neonatal care for 5,000 mothers and infants in the Damascus area; promoted breastfeeding among 1,000 more mothers; offered basic health education and information to 13,000 persons; purchased food and other daily living necessities for 12,000 persons; and partnered with the Franciscan Fathers to re-open a school which had sustained extensive damage by repeated bombings and to pay for the teachers’ salaries and recreational activities for the students.

I close once again with the words shared by Pope Francis during his 2019 Annual Gathering with the Diplomatic Corps accredited to the Holy See, since I believe that they pointedly summarise the work of the Geneva Centre, the two-volume publication being launched today, and the mandate of ICMC:

“Among the vulnerable of our time that the international community is called to defend are not only refugees but also migrants. Once again, I appeal to governments to provide assistance to all those forced to emigrate on account of the scourge of poverty and various forms of violence and persecution, as well as natural catastrophes and climatic disturbances, and to facilitate measures aimed at permitting their social integration in the receiving countries. Efforts also need to be made to prevent individuals from being constrained to abandon their families and countries, and to allow them to return safely and with full respect for their dignity and human rights. All human beings long for a better and more prosperous life, and the challenge of migration cannot be met with a mind-set of violence and indifference, nor by offering merely partial solutions.”<sup>6</sup>

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6. Pope Francis, Address to the Members of the Diplomatic Corps Accredited to the Holy See for the Annual Exchange of New Year Greetings, Vatican City, 07 January 2019, [http://w2.vatican.va/content/francesco/en/speeches/2019/january/documents/papa-francesco\\_20190107\\_corpo-diplomatico.html](http://w2.vatican.va/content/francesco/en/speeches/2019/january/documents/papa-francesco_20190107_corpo-diplomatico.html)

## Mr José Benavente

### President of the French Association Pilotes Volontaires

La Mer Méditerranée est devenue le plus grand cimetière de personnes exilées au monde. Plus de 20 000 personnes y ont perdues la vie au cours de ces quatre dernières années.

Ce constat glaçant nous a décidé à créer l'association Pilotes Volontaires.

Comme vous le savez, la traversée de la mer Méditerranée fait partie des routes empruntées par des personnes exilées qui, pour des raisons diverses, fuient des conditions de vie devenues insupportables dans leurs pays d'origine.

Pour celles et ceux qui transitent par la Libye, nous savons, grâce aux nombreux témoignages recueillis et consignés dans plusieurs rapports dont celui publié dernièrement par le Haut-Commissariat des Nations Unies aux droits de l'homme, que les conditions de vies ou devrais-je dire de SURVIE de ces personnes sont littéralement inhumaines !

Les cas de tortures, les cas de ventes d'êtres humains pour effectuer des travaux forcés, les cas de viols, perpétrés sans distinctions de genre ou d'âges de façon quasi systématique, ne sont pas des cas isolés.

Ils sont bien devenus le quotidien de milliers d'hommes, de femmes et d'enfants.

Comment ne pas comprendre que ces gens soient prêts à tout pour fuir cet enfer, même à s'embarquer sur des bateaux qui, pour beaucoup, n'ont aucune chance d'arriver à une quelconque destination.

Ces embarcations, souvent en bois ou pneumatiques, sont surchargées et ne disposent souvent d'aucun moyen pour s'orienter.

La quantité de carburant embarquée leur permet seulement de s'éloigner des côtes mais en aucun cas d'arriver quelque part.

Si ces embarcations arrivent à se maintenir à flot malgré tout, il est difficile d'imaginer comment se passent ces tentatives de traversées.

Mais je vais tenter de vous les décrire brièvement.

Sur les bateaux pneumatiques s'entassent en moyenne une centaine de personnes.

Les hommes, les plus forts physiquement, prennent place à califourchon sur les flotteurs latéraux.

Les femmes, les enfants, s'installent au milieu, sur le plancher.

Sur les bateaux en bois, plusieurs centaines de personnes embarquent.

Les plus forts sur le pont supérieur et les plus faibles à fond de cale, parfois asphyxiés dès le début du voyage par les vapeurs de carburant et les gaz d'échappements du moteur.

Il leur est dit que la traversée ne va pas durer longtemps, et qu'il y a très peu d'espace, alors ils sont autorisés à prendre le strict minimum à bord : très peu d'eau et très peu de nourriture.

Après quelques heures de navigation aléatoire en direction du Nord, ces bateaux atteignent la haute mer, tombent le plus souvent en panne d'essence et commencent à dériver.

A partir de ce moment-là, tous, à court terme, sont condamnés à mort.

Ils ne survivront que s'ils sont repérés puis secourus par un autre bateau.

Les départs depuis les côtes Libyennes se font le plus souvent au milieu de la nuit.

S'ils sont secourus dans la journée qui suit leur départ, dans la majorité des cas, tous auront la vie sauve.

S'ils doivent passer plus de 24h en mer, les plus faibles ne survivront pas et chaque jour qui passe apporte son lot de décès à bord.

Le problème, c'est que ces petites embarcations sont très difficiles à repérer.

Elles sont surchargées et flottent au ras de l'eau, disparaissant facilement derrière les vagues.

Seules des jumelles permettent de les repérer. Mais les chances pour que cela se produise sont extrêmement faibles tant la zone de recherche est grande.

Les bateaux de Recherche et de Sauvetage déployés dans cette zone géographique avec pour mission de venir en aide à ces embarcations en détresse, connaissent bien cette difficulté.

Ils sont conscients qu'un certain nombre d'embarcations ne sont jamais repérées à temps.

Leurs passagers disparaissent avant de pouvoir être secourus.

Il est malheureusement fréquent que ces équipes de secours retrouvent des épaves semi-flottantes sans personne à bord ou à proximité.

Ce qui laisse supposer que tous les passagers ont péri noyés quelques jours plus tôt.

Nous avons créé l'association Pilotes Volontaires pour augmenter les probabilités de secourir ces personnes en détresse, avant qu'il ne soit trop tard.

Nous n'avons rien inventé.

Nous savons tous que la meilleure façon de retrouver des personnes en détresse en mer c'est d'associer des moyens maritimes et des moyens aériens.

Sans l'utilisation de moyens aériens, la probabilité de repérer ces personnes est très faible.

La zone dans laquelle nous patrouillons, forme un périmètre rectangulaire d'environ 50 km de large sur 150 km de long, dans les eaux internationales au large de la Libye.

Dans ce rectangle funèbre, au moins 20 000 personnes, hommes, femmes et enfants ont trouvé la mort ces quatre dernières années, faisant de cette partie de la Méditerranée, je le répète, le plus grand cimetière de personnes exilées au monde.

Nous avons donc décidé de déployer un avion léger pour fournir aux bateaux de recherche et de sauvetage présents, un service d'observation aérien indépendant, essentiel si nous voulons à l'avenir limiter l'ampleur de cette hécatombe.

Malgré les difficultés qui croyez moi n'ont pas manqué, au cours du deuxième semestre de l'année 2018, nous avons pu effectuer 38 vols et repérer 45 bateaux en détresse avec à leurs bords plus de 4000 personnes au total.

Nous aurions pu repérer plus de bateaux en difficulté mais nous avons manqué de moyens



financiers.

Nous avons le devoir de faire plus au plus vite.

Comme vous le savez, ces missions ont un coût, et nous cherchons des financements.

Partant de rien, l'opération a pu être lancée en moins de trois mois grâce à des fonds propres dont nous disposions un ami et moi.

Mais nos économies ne sont pas suffisantes et si nous avons pu continuer à voler régulièrement depuis le mois de mai dernier, c'est grâce à des dons privés que nous avons reçu après le lancement.

Je profite donc de l'opportunité qui m'est donné aujourd'hui de m'adresser à vous, pour lancer un appel aux dons.

Nous avons besoin de soutien.

Nous sommes conscients que la question de l'arrivée des personnes exilées dans les pays européens fait l'objet de nombreux débats, souvent idéologiques ou politiques.

Au sein de Pilotes Volontaire nous n'abordons jamais ce sujet sous cet angle, car nous considérons que tenter de sauver des vies en mer ou ailleurs, devrait faire l'unanimité. Quelle que soit nos convictions politiques, religieuses ou personnelles.

Un point commun nous unit : la volonté de contribuer à sauver des vies.

Nous demandons que tous les moyens soient mis en œuvre en mer et dans les airs, pour que les sauvetages puissent se faire de la façon la plus efficace possible, dans le strict respect du droit maritime international, qui stipule clairement que les rescapés doivent être débarqués dans un port sûr !

A terre, tous les moyens doivent être également mis en œuvre pour que les atrocités subies par les personnes exilées dans les lieux de détentions cessent sans délais !

Pouvons-nous accepter que ces personnes, qui se trouvent aujourd'hui sur les chemins de l'exil, puissent souffrir autant et mourir en mer dans l'indifférence la plus totale ?

Nous ne pourrions pas dire que nous ne savions pas.

Je vous remercie pour votre attention.

## Ms Julie Melichar

### Citizen Mobilisation & Communication Officer at SOS MEDITERRANEE

SOS MEDITERRANEE is a European maritime and humanitarian organization for the rescue of life in the Mediterranean. It was founded by citizens in May 2015 in response to the deaths in the Mediterranean and the failure of the European Union to prevent these deaths.

SOS MEDITERRANEE works as a European association with teams in Germany, France, Italy and Switzerland in a European network, financing and operating the rescue ship Aquarius from February 2016 till October 2018. The medical care has been provided by Doctors without Borders since May 2016. Since launching our operation we have welcomed more 29,532 survivors aboard the Aquarius. We have 3 objectives: rescue, protect, and testify.

In the last few years more than 20,000 people seeking safety have lost their lives trying to cross the Mediterranean from Libya on unseaworthy boats. They drown because of the lack of rescue capacity at sea, and because of recurring violations of international and maritime law.

Today, European governments are actively blocking search and rescue (SAR) NGOs through administrative, political and judicial harassment campaigns, preventing the organisations from delivering humanitarian assistance to those in need. Currently almost all NGO rescue ships are blocked from leaving European ports and people fleeing detention, torture, sexual exploitation and forced labour in Libya either drown at sea or are intercepted by the Libyan Coast Guard and unlawfully returned to these inhumane conditions. This is in violation of the existing international law that search and rescue operations are based on.

In order to exemplify this, I'd like to talk about a specific event that I lived through myself, and about the consequences thereof: the first standoff of the Aquarius in June last year.

On Friday 8th of June, we left the port of Catania, in Sicily. Italy had for many years welcomed a lot of survivors from boats in distress on its territory without receiving the adequate and pledged support from the European Union. Shortly before our departure, a new Minister of Interior had been elected, Matteo Salvini, and we knew it could lead to a change for our operations.

During the whole of Saturday, we rushed towards the search and rescue region in international waters off the coast of Libya. Finally, we were able to disembark the survivors in Valencia, after an 8-day odyssey. However, it was not the end of our problems, nor those of other ships. In June and July, almost no rescue ships were patrolling in international waters off the coast of Libya, and more than 700 people died. This underlines the fact that people flee for a very real reason, and not because of the presence of rescue ships.

At this time, 3 rescue ships were blocked in the port of Malta, because they did not receive authorisations to leave. The Aquarius was able to leave again in August, but was then stripped of its flag under political pressure, twice in a row, in August and September. As of October, it was blocked in the port of Marseille, unable to leave again. In November, it was wrongfully accused of "waste mismanagement" by a Sicilian prosecutor, which resulted in a threat to seize the ship. Due to these many obstacles, we had to stop chartering the Aquarius and are now looking for a new ship with which to go back at sea, where the emergency persists.

The emergency also continues because in parallel to blocking humanitarian ships, European governments are also building-up the Libyan coast guard and have created a Libyan search and rescue region. Indeed, In February 2017, European Heads of State met in Malta and signed the Malta Declaration, agreeing to train, equip and finance the Libyan Coast Guard to intercept boats at sea and bring them back to Libya. This declaration also led to the creation of the Libyan Search and Rescue Region in June, 2018. According to maritime law, every coastal state has to assume responsibility over a certain maritime area off of its coast, spanning territorial and international waters. Within this designated region, the coastal state is responsible for responding and coordinating distress and helping to find a place of safety for the survivors. Since 2018, the Libyan Joint Rescue Coordination Centre (LY-JRCC) has been responsible for the coordination of search and rescue services in its designated region. Since then, the number of people intercepted and unlawfully returned to Libya has skyrocketed. Once returned to Libya, rescued people are exposed to severe human rights violations that have been well-documented, including torture, rape, forced labour and executions. This is contrary to the legal obligation that after a rescue, the survivors should be delivered to a “place of safety”. Libya cannot be considered a place of safety. It should also be noted that the LY-JRCC turned out to be dysfunctional and not able to carry out effective and safe rescues. As a result, again, more people drowned.

Today, we find ourselves in a very paradoxical situation: civil humanitarian ships, which conduct legal search and rescue operations and respond to the duty to render assistance, are being criminalised by states who themselves do not uphold the treaties and conventions that they have ratified.

## Mr Adrià Budry Carbó and Ms Camille Pagella

### Joint recipients of the first ACANU (Association of Accredited Correspondents at the United Nations) Prize for Reporting on Human Rights Issues

Je vais vous raconter un secret. En fait, on a failli ne pas le faire ce reportage sur l'Aquarius.

Pourquoi fallait-il remonter à bord? Y avait-il encore quelque chose à dire sur cette odyssée humanitaire? Les doutes étaient légitimes ce printemps dans la rédaction du Temps. Depuis 2016, le plus emblématique des bateaux de secours accueillait à son bord, lors de chacune de ses rotations, deux à trois journalistes issus des médias les plus prestigieux. Alors valait-il la peine de refaire ce reportage? Et puis nous sommes un petit journal. C'est compliqué de bloquer un journaliste pendant trois semaines. Alors ajoutez une photographie, et n'y comptez même pas.

Sauf qu'à un moment donné, le chef de la rubrique internationale a dit «arrêtez un moment». On sort des élections italiennes. C'était au printemps dernier. Il s'est passé beaucoup de choses depuis. Les populistes, qui peinaient encore à former une coalition, avait promis de «verrouiller» la Méditerranée s'ils accédaient au pouvoir. La mission de l'Aquarius semblait plus compromise que jamais. «Un jour, on va se retrouver dans une situation du type Exodus», disait la directrice suisse de SOS Méditerranée au dernier festival Histoire et Cité.

Nous avons finalement fait partie de l'une des dernières rotations de l'Aquarius, l'avant-dernière au départ de l'Italie. Nous avons embarqué fin avril en plein chamboulement politique. Juste avant que l'Europe ne se décide à tourner définitivement le dos à ces sauveteurs de la haute mer. Le chef de l'Inter continue, lui, à parler de ce moment de «basculement de l'Europe». Ça m'est resté.

Alors on a décidé de le faire ce sujet. De bloquer trois semaines et de dire au revoir à nos proches, et au sujet Eco (dans mon cas).

Je dois dire qu'on est un peu parti la fleur au fusil. On arrive à Catane, découvre cette ville volcanique et les tournées sur son port et les histoires de marins. C'était formidable, ça ressemblait un peu à une colonie de vacances.

Puis on a largué les amarres. On a fait une simulation d'attaque pirate en se réfugiant dans une chambre forte. On a appris à faire des massages cardiaques sur une petite poupée à la peau noire. Grande comme ça. Et là c'est toute la lourdeur du sujet qui nous est tombé dessus.

Je vais maintenant dire quelques évidences pour les gens autour de cette table. Mais qui permettront peut-être à d'autres de se représenter le contexte.

De Catane aux côtes libyennes, il faut 30h avec l'Aquarius, 6h à une vedette rapide, six jours à une embarcation en plastique. Pour autant qu'elle ait l'essence et les vivres.

Quand je parle des côtes libyennes, je veux dire la limite des eaux extraterritoriales. Soit à 44kms des côtes. Comment je sais qu'on y était? Je ne le sais pas, et m'en remets au capitaine. Ce que je peux vous dire c'est qu'on était juste assez près pour voir les crêtes des montagnes par jours clairs, et les lumières la nuit.



Pendant dix jours on n'a pas vu grand-chose à cause du mauvais temps. Mais c'est juste après qu'on a senti que le vent politique était en train de tourner. Alors qu'on mettait un canot de sauvetage à la mer pour le premier entraînement depuis des jours, un signal radio a brutalement coupé l'exercice. Tout le monde dans les cabines, les hublots fermés et prière de s'en éloigner. C'était une vedette des garde-côtes qui nous fonçait dessus sans aucune communication radio ni autre forme de politesse.

Celle-là on l'a recroisé. Alors que l'on se dirigeait en zone pour un sauvetage. La vedette nous dépasse puis nous tient à distance – 2 kms – assez pour éviter l'effet aimant. Mais pas assez pour voir que des corps sont dans l'eau.

La vedette 648 – c'est son numéro – est « Made in Italy ». C'est un cadeau du gouvernement transalpin à la Libye, qui veut se débarrasser de son problème de migrants.

Nous le lendemain on a entendu le bilan officiel: 1 mort, deux disparus. Et un commandant des garde-côtes libyens qui nous accuse d'être de mèche avec les passeurs.

Et puis, un matin, tôt vers 6h, nous nous sommes réveillés nez à nez avec le bateau Astral, un voilier cédé par un riche britannique à l'ONG Proactiva Openarms. A son bord, 105 personnes, sauvées des flots la veille alors qu'ils dérivait depuis 12 heures sans moteurs. Hommes, femmes et enfants étaient l'un sur l'autre, sur le petit pont du voilier.

Il fallait les transférer sur l'Aquarius.

Alors que les deux bateaux naviguaient côte à côte, que le vent se levait et que les vagues devenaient de plus en plus grandes, le MRCC de Rome (Maritime Rescue Coordination Centre) refusait de nous donner l'autorisation du transfert. A bord, nous entendrons parler d'une mini crise diplomatique, et même, d'une visite de l'ambassadeur britannique en personne au MRCC.

Nous parlons de 105 personnes.

Parmi les 105 personnes, ils étaient 34 mineurs. Et parmi ces 34 mineurs, un enfant de neuf ans s'est mis à vomir du sang.

Il était 21h. Après 15 heures de négociations, les sauveteurs de l'Aquarius ont finalement pu accueillir 105 nouveaux passagers.

L'Aquarius était un sas de décompression pour les migrants. Une pause dans un voyage périlleux. La côte libyenne avait disparue de l'horizon et, ils savaient que dans 48 heures tout au plus, c'est celle de Schengen que nous verrons.

Ils avaient donc le droit de rêver. «Qu'est-ce que j'ai hâte d'arriver en Europe pour travailler» m'a dit un jour Elias, un passager bengalais. Je lui ai retourné son sourire et j'ai essayé de ne pas penser trop fort à la réalité qui l'attendait.

Pourtant, un jour, les passagers ont eu très peur. Il n'est pas encore midi sur l'Aquarius lorsque l'alerte est donnée: une vedette libyenne nous a pris en chasse. A l'exception des photographes, les sauveteurs et les soignants doivent rester dans leur cabine et les migrants doivent, eux, se coucher sur le pont.

La vedette ne répond pas aux appels radios.

Elle nous frôle et nous dépasse à vive allure. C'était de l'intimidation de base. Certaines personnes à bord ont eu très peur. Un jeune mineur non accompagné pleurait. Il m'a dit que si les Libyens avaient tenté de le récupérer, il se serait jeté à l'eau.

A bord, les sauveteurs avaient décidé de ne pas donner de destination tant que celle-ci n'était pas sûre.

Il y a eu un moment de flottement.

Nous étions en route vers la Sicile. Pourtant, le MRCC ne nous avait toujours pas donné de “port de safety”. A quelques heures de l’arrivée, nous avons finalement eu cette autorisation.

Nous avons compris que nous faisions partie d’une des dernières rotations.

Nous avons accosté le 10 mai à Catane. Vingt jours plus tard, Guiseppe Conte présentait sa liste de ministres au Président de la République, la crise politique italienne prenait fin et, un mois plus tard, une autre allait commencer.

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