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Answer given by Ms Johansson

on behalf of the European Commission

(7.5.2021)

Saving lives in distress at sea is a moral duty and a legal obligation for Member States under international law. The coordination of search and rescue operations is a national responsibility, with no operational involvement of the Commission.

Under the New Pact on Migration and Asylum[[1]](#footnote-1), the Commission proposed a more coordinated approach to search and rescue aimed at strengthening cooperation among the involved actors, also through the first European Contact Group on search and rescue[[2]](#footnote-2), and clarified that EU law cannot be interpreted in a way allowing the criminalisation of search and rescue activities when carried out in compliance with the relevant legal framework[[3]](#footnote-3).

Search and rescue operations are constituent elements of European integrated border management[[4]](#footnote-4). The Internal Security Fund has specifically supported the implementation of European Integrated border management. Under the 2021-2027 Multiannual Financial Framework, the Border Management and Visa Instrument will increase the financial resources allocated from the EU budget directly to Member States. This funding will take into account the financial needs of Member States that regularly face situations requiring search and rescue interventions. As regards the European Border and Coast Guard Agency (Frontex), the Commission underlines that the Agency has been providing support to Member States for such interventions including early detection of vessels in distress and rendering assistance to them.

The specificities of disembarkations following search and rescue operations are taken into account in the Pact on Migration and Asylum which proposes a solidarity mechanism to address disembarkations following such events.

1. Communication (2020)609 from the Commission on a new Pact on Migration and Asylum. [↑](#footnote-ref-1)
2. Commission Recommendation EU(2020)1365 on cooperation among Member States concerning operations carried out by vessels owned or operated by private entities for the purpose of search and rescue activities. [↑](#footnote-ref-2)
3. Communication (2020)6470 from the Commission on the implementation of EU rules on definition and prevention of the facilitation of unauthorised entry, transit and residence. [↑](#footnote-ref-3)
4. Article 3(1)(b) of Regulation (EU)2019/1896 OJ L 295 of 14.11.2019. p. 1. [↑](#footnote-ref-4)