

**Question for written answer E-001857/2019
to the Commission**

Rule 130

Ernest Urtasun (Verts/ALE), Florent Marcellesi (Verts/ALE), Maria Lidia Senra Rodríguez (GUE/NGL), Ángela Vallina (GUE/NGL), Paloma López Bermejo (GUE/NGL), Miguel Urbán Crespo (GUE/NGL), Javier Couso Permuy (GUE/NGL) and Xabier Benito Ziluaga (GUE/NGL)

Subject: Criminalisation of humanitarian assistance: Proactiva's humanitarian vessel *Open Arms* is prevented from sailing

The Harbourmaster's Office in Barcelona has refused to allow the *Open Arms* – a humanitarian vessel operated by Proactiva, a Spanish NGO – to leave the Port of Barcelona, thus preventing it from continuing its search and rescue operations in the Mediterranean. The vessel is not responsible for the breaches listed in the decision concerned. In fact, the decision is an entirely political one: the *Open Arms* is being prevented from providing humanitarian assistance on the grounds of a breach of maritime and international law on the part of States.

This is yet another example of humanitarian assistance being criminalised in Europe.

Having regard to the Geneva Convention, the Convention on the Law of the Sea, the European Parliament resolution of 5 July 2018 on guidelines for Member States to prevent humanitarian assistance from being criminalised, and the UN Protocol against the Smuggling of Migrants, which prohibits the criminalisation of humanitarian assistance:

1. What action is the Commission intending to take to put an end to the criminalisation of humanitarian assistance?
2. What action is the Commission intending to take with a view to urging Member States to comply with maritime, international and humanitarian law?
3. Is the Commission intending to press for a review of the 'Facilitators' Package', in order to bring it into line with the UN Protocol, thereby prohibiting the criminalisation of humanitarian assistance in the EU?