
The Operation EUNAVFOR MED (Sophia): Aims, Practices, and Issues at Stake

MIREES Open lecture

On 23 May 2017, MIREES students listened to an Open lecture by Dr. Matteo Tondini, legal advisor for EUNAVFOR MED (European Union Naval Force Mediterranean) otherwise known as Operation Sophia. The lecturer began his presentation by illustrating the core mandate of the military operation, launched in 2015 following the shipwrecks off the Libyan coasts: to deploy vessels in order to prevent human trafficking and migrant smugglers; to reinforce operations *Triton*, under Italian control, and *Poseidon Rapid Intervention* for surveillance of Greek borders. Ensuing from the extraordinary EU joint Foreign and Home Affairs Council meeting, on 21 April 2015, a ten-point action plan was devised, establishing a comprehensive EU policy to control irregular immigration.

Dr. Tondini emphasized that the Operation *Sophia* does not specifically constitute a search & rescue operation, even though this may often be the case due to legal responsibilities under international law and moral obligations. Next, he presented the four different phases of the operation, as follows: 1) deploy and assess 2) (in accordance with UN Resolution 2312/2016¹) secure, which means searching, stopping and boarding vessels along with their cargo and people aboard in order to collect information 3) disrupt smuggling networks, and 4) withdraw forces and complete the operation. The lecturer then briefly showed the students the assets that Operation Sophia has at its disposal, i.e. frigates, patrol boats and aircraft, replenishment and survey ships from Italy, Belgium, France, Germany, Portugal, Slovenia, Spain and United Kingdom². In addition, he provided the students with data in terms of

¹ [http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2312\(2016\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2312(2016))

² https://eeas.europa.eu/csdp-missions-operations/eunavfor-med/12215/assets_en

results achieved by the fleet and the personnel. So far, in fact, 432 boats were neutralized, 109 suspected smugglers apprehended and 36,071 migrants rescued.

At this point, Dr. Tondini went into detail about the supporting tasks of the Operation EUNAV FOR MED: to start with, understanding smugglers' business model, taking into account that they tend to sail outside Libyan waters in order not to be caught; impacting on their logistics by identifying boats at their disposal, especially wooden boats capable of carrying up to 800 people; building capacity and training of Libyan Navy and Coastguard in order to attain better coast-patrolling functions and improve ability in search & rescue activities in territorial waters; contributing information sharing and the implementation of UN arms embargo on the high seas off the coast of Libya. As for the training, it specifically envisages three different 'packages', i.e. stages: 1) 14-week training at sea on EU ships which had ended on 13 February 2017, involved 42 trainees and 3 tutors on one Italian vessel as well as 36 trainees and 2 tutors on one Maltese vessel, and provided lectures on cartographic, human rights, and refugee law; 2) 14-week ashore training in Libya or other EU member states, so far Greece and Malta but Spain and Italy are up next, as well as 3) 8-week advanced training on Libyan boats.

As Tondini clearly explained, however, three important conditions need to be met in order to properly implement and fulfill aforementioned phases 2) and 3): there has to be a stable Libyan government able to authorize request for assistance; a formal authorization from the UN Security Council through a dedicated resolution allowing Operation Sophia to enter Libyan territorial waters/territory is needed, thus also validating the legitimacy of the Libyan government's invitation and allowing some EU M.S. to exercise law enforcement powers; a solution to the issue as to what kind of legal consequences, also in terms of human rights, suspect migrant smugglers would face once handed over to Libyan authorities. Dr. Tondini also touched upon the 'pull-factor' argument, used by several EU M.S., according to which Operation Sophia (as well as the former operation Mare Nostrum) attracts migrants, disputing its validity.

Finally, the lecturer left the students with the following lessons learned: the Operation proved to be a uniquely comprehensive approach addressing irregular migration; it is appreciated as useful by many African countries and, last but not least, the training of the Libyan Coastguard and Navy is the fastest and most effective way, so far, to counteract smugglers.

In conclusion, the Open lecture by Dr. Tondini was extremely helpful in providing a clear picture of EU operations at sea aimed at tackling human trafficking and dealing with the dangers of migrations routes.

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