

MEP Miguel Urbán Crespo
Parlement Européen

Our ref: CAB/EWMO/10434/2017
Please quote when replying.

Warsaw, 21 June 2017

Dear Mr Miguel Urban Crespo,

In a joint declaration published last month, you and your colleagues have expressed some concerns about alleged declaration I allegedly have made.

Saving lives is the first duty and obligation of all vessels at sea, and it has always been a priority for Frontex. Moreover, since last year Search and Rescue (SAR) is in the mandate of the Agency.

Coordination of all search and rescue operations is governed by international law and is under the responsibility of one entity - the national Maritime Rescue Coordination Centre (MRCC). This means that all vessels deployed by Frontex in operation Triton always comply with the requests of the MRCC in Rome.

Search and rescue has always been a big part of our maritime operation. Last year alone Frontex deployed vessels helped save more than 90 000 people in our operations in Italy and Greece.

Rescuing migrants in the Central Mediterranean, Frontex works alongside Operation Sophia, Italian coast guard, commercial vessels and NGOs.

I would like to make it clear that contrary to many statements made in the media, Frontex has never accused any NGO of colluding with people smugglers in Libya.

It is our responsibility as the European Border and Coast Guard Agency to monitor the situation in the area. Frontex has no investigative powers. These lie with national authorities. But it is our obligation to gather evidence that could be used in an investigation of any type of cross-border crime, from drug and arms smuggling to trafficking in human beings and terrorism.

At the moment we are facing a sad paradox in the Central Mediterranean. Although there are many rescue vessels close to the Libyan shore, the number of people who lost their lives making the journey has never been higher.

Let me mention some factors that shed light on this complex situation. Frontex has information confirmed by migrants that while in 2014 and 2015 there are some 90 people on each rubber boat, in 2016 these number surged. It is not unusual to see

between 150 and 180 migrants on a single dinghy. Moreover, migrants do not wear life vests and have just enough fuel to leave Libya's territorial waters. At this point it is not unusual that people smugglers remove engines from the boats and leave the unseaworthy, overcrowded dinghies drifting in the open sea.

Consequently the biggest challenge for law enforcement and all involved in SAR operations is to save lives without supporting the business model of people smugglers who are putting migrants at sea with little regard for human life.

For this reason all those operating at sea need to work together, collect information and share it with the Italian authorities and EU agencies, contributing to investigations that would lead to arrests of those who profit from misery and despair of migrants. Tackling people smugglers is one of the priorities of the EU.

The European Border and Coast Guard Agency has a responsibility to fight all forms of trans-border crime. It is our duty to pursue people smugglers and collect any evidence that could be used in support of criminal investigation and share it with the national authorities and European agencies Europol and Eurojust.

It is very important to improve cooperation of all actors, particularly in gathering physical evidence from the migrant boats that can be used for prosecution and identification of suspected criminals.

As you know, the mandate of European Border and Coast Guards Agency also includes cooperation with other EU maritime Agencies contributing to coast guard functions such as spotting environmental pollution and illegal fishing as well as fighting many types of trans-border crimes at sea. These activities are carried out in the framework of multi-purpose operations that involve many aspects of law enforcement at sea.

Hoping those elements will meet your concerns, I also would like to recall that, since the creation of the European Border and Coast Guard Agency, I have been regularly meeting with the members of the LIBE committee reporting on the implementation of our new mandate. I will continue to do so and will be happy to answer any questions regarding our activities.

Yours sincerely,



Fabrice Leggeri
Executive Director