



Donate



What are human rights?

Topics

Countries

Instruments & mechanisms

Latest

About us

Get Involved

## Latest / Media Center

PRESS RELEASES | SPECIAL PROCEDURES

# Italy: Criminalisation of human rights defenders engaged in sea-rescue missions must end, says UN expert

09 February 2023

## Share

---

### RELATED

#### STATEMENTS

[Global Summit on Religion, Peace and Security](#)

#### PRESS RELEASES

[UN expert recalls the need for international solidarity for migrants and refugees at sea](#)

#### PRESS RELEASES

[Human Rights Council discusses freedom of opinion and expression and freedom of peaceful association and of assembly](#)

---

**GENEVA (9 February 2023)** – A UN expert\* today condemned the criminalisation and repression of human rights defenders involved in sea-rescue charities in Italy, ahead of the trial of NGO crew members in Sicily.

“The ongoing proceedings against human rights defenders from search and rescue NGOs are a darkening stain on Italy and the EU's commitment to human rights,” said Mary Lawlor, UN Special Rapporteur on the situation of human rights defenders.

In May 2022, preliminary criminal proceedings were opened against 21 people at the Court of Trapani – including four members of the *luventa* search and rescue crew, and human rights defenders from other civilian vessels – for alleged collaboration with people smugglers. They are being charged with aiding and abetting unauthorised immigration in connection with several rescue missions conducted in 2016 and 2017.

Prior to its seizure in 2017, the vessel *luventa* had been involved in the rescue of 14,000 people in distress at sea. “They are being criminalised for their human rights work. Saving lives is not a crime and solidarity is not smuggling,” Lawlor said.

The proceedings have been plagued by procedural violations, including failure to provide adequate interpretation for non-Italian defendants and translation of key documents. On 19 January 2023, the Prime Minister's Office and the Ministry of Interior applied to the court to join the case as plaintiffs, seeking compensation for damage claimed to have been caused by the alleged crimes.

“States that respect human rights promote the work of human rights defenders,” the Special Rapporteur said. “The Government’s decision to seek to join the case goes directly against this principle – it is a very disturbing sign,” she said.

The case against the Luventa crew has proceeded in the backdrop of new restrictions imposed by the Italian authorities on civilian search and rescue. Since December 2022, NGO ships have consistently been instructed to disembark rescued persons in north and central Italy ports – several days of sailing away from rescue sites in the Central Mediterranean Sea. The practice has been accompanied by new regulations for civilian search and rescue introduced by Legislative Decree on 2 January 2023. Under the new rules, NGO captains are effectively prevented from carrying out multiple rescues in the course of a mission and must navigate towards the indicated port of disembarkation without delay, or face heavy sanction.

“The new legislation and instructions on ports of disembarkation are obstructing essential activities of civilian rescue ships,” Lawlor said. “They are widening the search and rescue gap in the Central Mediterranean, putting lives and rights at further risk. The legislation is incompatible with Italy's obligations under international

law and must be repealed.”

The Special Rapporteur has engaged with the Italian authorities to express her concerns.

ENDS

**Ms Mary Lawlor** (Ireland) is **the Special Rapporteur on the situation of human rights defenders**. She is currently an Adjunct Professor of Business and Human Rights in Trinity College Dublin. She was the founder of Front Line Defenders - the International Foundation for the Protection of Human Rights Defenders. As Executive Director from 2001-2016, she represented Front Line Defenders and had a key role in its development. Ms. Lawlor was previously Director of the Irish Office of Amnesty International from 1988 to 2000, after becoming a member of the Board of Directors 1975 and being elected its President from 1983 to 1987.

The statement is endorsed by **Felipe González Morales** is **the Special Rapporteur on the human rights of migrants**. He is a Professor of International Law at the Diego Portales University, in Santiago, Chile, where he is also the Director of a Master in International Human Rights Law. He was a Commissioner and the Rapporteur on Migrants between 2008 and 2015 at the Inter-American Commission on Human Rights, where he was President from 2010 to 2011.

Special Rapporteurs are part of what is known as the **Special Procedures** of the Human Rights Council. Special Procedures, the largest body of independent experts in the UN Human Rights system, is the general name of the Council’s independent fact-finding and monitoring mechanisms that address either specific country situations or thematic issues in all parts of the

world. Special Procedures' experts work on a voluntary basis; they are not UN staff and do not receive a salary for their work. They are independent from any government or organization and serve in their individual capacity.

UN Human Rights Country Page: [Italy](#)

## For more information and media requests, please contact

Ms. Orsolya Toth [orsolya.toth@un.org](mailto:orsolya.toth@un.org) /+41 22 917 9913) or

Ms. Sophie Helle ([sophie.helle@un.org](mailto:sophie.helle@un.org) / +41 22 917 5669)

For **media enquiries** regarding other UN independent experts, please contact please contact

Maya Derouaz ([maya.derouaz@un.org](mailto:maya.derouaz@un.org)) or

Dharisha Indraguptha  
([dharisha.indraguptha@un.org](mailto:dharisha.indraguptha@un.org))

Follow news related to the UN's independent human rights experts on Twitter:

[@UN\\_SPExperts](#)

Concerned about the world we live in?  
**Then STAND UP for someone's rights today.**  
#Standup4humanrights  
and visit the web page

at <http://www.standup4humanrights.org>

## Tags

[Italy](#) [Migrants](#)

### Our Work

The Office of the High Commissioner for Human Rights is the leading United Nations entity in the field of human rights, with a unique mandate to promote and protect all human rights for all people.

### Latest

[Feature Stories](#)

[Media Center](#)

[Meetings & Events](#)

### Resources

[Databases](#)

[Library](#)

[Publications](#)

### Connect

[Contact Us](#)

[Follow us](#)

[Work With Us](#)

Global Social Channels

© OHCHR  
1996-2023

---

[Donate](#)

---

[Contact](#)

[Copyrights](#)

[Privacy Policy](#)

[Terms of use](#)

**[Back to top](#)**