

# Principles and Main Components of Migrant Search and Rescue Operations

## المبادئ والمكونات الرئيسية لعمليات البحث والإنقاذ للمهاجرين

### Key Outcomes

- Improved Detection and Response Capabilities: Technological advancements such as AI-assisted maritime surveillance, drones, and GIS mapping have improved early detection of migrants in distress. Regional cooperation, like the EU-IOM Sahara partnership, has reduced mortality rates, but resource gaps and jurisdictional disputes still delay responses.
- Humanitarian Assistance and Protection Gaps Addressed: SAR operations now include critical medical and psychosocial support for survivors of trafficking and violence. However, inconsistent access to healthcare and legal aid post-rescue remains a challenge.
- Challenges in Disembarkation and Responsibility-Sharing: The lack of standardized “place of safety” protocols and political disputes over disembarkation leave migrants stranded. Legal risks deter private vessels and NGOs from participating in SAR efforts.



### Abstract

Migrant Search and Rescue (SAR) actions are key measures to avoid the loss of lives in maritime, desert and other dangerous migration zones. The aim is to guarantee the effective protection of migrants in situations of vulnerability and distress, by activating, for example, actions of assistance carried

### المستخلص

تعد عمليات البحث والإنقاذ للمهاجرين مجموعة من التدابير الأساسية، التي تسعى إلى تفادي الخسائر في الأرواح في المناطق البحرية والصحراوية وغيرها من مناطق الهجرة الخطرة. وتهدف هذه العمليات إلى ضمان الحماية الفعالة للمهاجرين المستضعفين والمعرضين للخطر، وذلك من خلال تفعيل

out by state authorities, public international organizations and NGOs, that should intervene in support of migrants and in defense of their human rights.

The nature of SAR missions, resource constraints, legal intricacies, and operational risks is such that a structured approach is needed for improving efficiency and effectiveness in meeting these challenges.

This policy brief presents the principles of, and trends in, SAR with a special focus on lessons learned from operations in the Mediterranean Sea, the Sahara Desert, and other high-risk regions of migration. It identifies good practice, legal duty, and practical measures to ensure that SAR is consistent with humanitarian principles and international legal obligations. The publication also considers new trends in SAR, including the impact of climate change on migration patterns and the use of new technologies to enhance search and rescue times.

إجراءات المساعدة التي تنفذها السلطات الحكومية، والمنظمات الدولية العامة، والمنظمات غير الحكومية، والتي ينبغي أن تتدخل دعماً للمهاجرين ودفاعاً عن حقوقهم الإنسانية.

ونظراً لطبيعة مهام عمليات البحث والإنقاذ، وما يصاحبها من قيود مفروضة على الموارد، وتعقيدات قانونية، ومخاطر تشغيلية، فإن الأمر يتطلب نهجاً منظماً لتعزيز الكفاءة والفعالية في مواجهة هذه التحديات.

وتُقدم ورقة تحليل السياسات هذه المبادئ والاتجاهات العامة لعمليات البحث والإنقاذ، مع تركيز خاص على الدروس المستفادة من العمليات المنفذة في البحر الأبيض المتوسط، والصحراء الكبرى، وغيرها من مناطق الهجرة عالية الخطورة. كما يسلط الضوء على الممارسات الجيدة، والواجبات القانونية، والتدابير العملية التي تضمن توافق عمليات البحث والإنقاذ مع المبادئ الإنسانية والالتزامات القانونية الدولية. كما يتناول الاتجاهات المستجدة في هذا المجال، بما في ذلك تأثير تغير المناخ على أنماط الهجرة، ودور التقنيات الحديثة في تسريع زمن الاستجابة لعمليات البحث والإنقاذ.

## Key Principles of Search and Rescue (SAR) Operations

### Obligation to Save Lives

**Basic Concepts** Obligation to Save Lives  
The principle that underpins SAR operations is as simple as it is humane and should be common for all human rights defenders: nobody may be left to die in a life-threatening situation – be that at sea, in the desert, or on other perilous migration trajectories. Under the International Convention on Maritime Search and Rescue (1979) and the United Nations Convention on the Law of the Sea (1982), states are under a duty to rescue persons in distress at sea, irrespective of nationality or status or the circumstances

in which they are found. This responsibility is crucial if international human rights standards and the basic humane treatment of all migrants are to be upheld.

On-Refoulement and Human Rights Protections Under Article 33 of the 1951 Refugee Convention, individuals rescued during SAR operations must not be returned to territories where they risk persecution, torture, or inhumane treatment. This principle is known as non-refoulement and is a cornerstone of international refugee and human rights law and is classified as a non-derogable right. This means that it applies under all circumstances, including during mass influxes or national emergencies. Accordingly, SAR operations must include mechanisms that guarantee rescued



individuals access to asylum procedures and other protection structures. Regional legal bodies such as the European Court of Human Rights (ECHR) have reinforced this obligation such as via the *Hirsi Jamaa and Others v. Italy* case (2012), where Italy was found to have violated the principle of non-refoulement by intercepting migrants at sea and returning them to Libya without assessing their protection needs.<sup>[(1)]</sup>

Consequently, SAR personnel must uphold the principles of dignity, non-discrimination, and humane treatment, ensuring access to medical care, legal information, and basic services. Additionally, SAR responders should be trained to recognize signs of trafficking, exploitation, or trauma among rescued persons, so that vulnerable individuals are referred to relevant supports.<sup>[(2)]</sup><sup>[(3)]</sup>

### Safe and Predictable Disembarkation

The International Maritime Organization (IMO) Guidelines on the Treatment of Persons Rescued at Sea require that rescued individuals be disembarked at a place of safety. The latter concept is defined as: “a location where rescue operations are considered to terminate; where the survivors’ safety of life is no longer threatened and where their basic human

needs (such as food, shelter and medical needs) can be met, taking into account the particular circumstances of each individual (MSC.167(78), paras. 6.12 and 6.15)”<sup>[(4)]</sup>. The Definition also emphasizes that disembarkation must consider the individual’s particular situation. The same is true for SAR operations in desert environments, where coordination with humanitarian shelters and response centers is key to ensuring continuity of care post-rescue<sup>[(5)]</sup>. Standardized disembarkation process and regional agreements are at the core of guaranteeing prompt response and legal certainty after rescue operations.

### State and Regional Responsibility Sharing

Successful search and rescue operations depend on the shared responsibility of maritime states, land border authorities, and states along key migration routes. Coordinated mechanisms such as IOM’s Migrant Resource and Response Mechanism (MRRM) facilitate structured cross-border cooperation and support humanitarian assistance<sup>[(6)]</sup>. Strengthening partnerships with regional economic communities, naval operations, civil protection agencies, and humanitarian actors enhances operational coherence, reduces duplication, and lead to more predictable and life-saving outcomes.

1. European Court of Human Rights (ECHR) - Grand Chamber. *Case of Hirsi Jamaa and Others v. Italy* (Application no. 27765/09). Judgment. 23 Feb. 2012. Rectified 16 Nov. 2016 under Rule 81 of the Rules of Court. Strasbourg.
2. International Organization for Migration (IOM). *IOM Handbook on Protection and Assistance for Migrants Vulnerable to Violence, Exploitation and Abuse*, 2019.
3. International Organization for Migration (IOM). *The IOM Handbook on Direct Assistance for Victims of Trafficking*, 2007.

4. International Maritime Organisation (IMO). Resolution MSC.167(78), *Guidelines on the Treatment of Persons Rescued At Sea*. International Maritime Organisation (IMO). 20 May 2004
5. International Organization for Migration (IOM). *New IOM Toolkit Offers Key Advice on Migrant Centres*, 28 September 2021.
6. International Organization for Migration (IOM). *KNOWLEDGE UPTAKE Migrant Resource and Response Mechanisms*. International Organization for Migration, August 2017

## The Main Components of SAR Operations

### 1. Detection and Early Warning Systems

Timely identification of emergencies is a key determinant of the effectiveness of Search and Rescue (SAR) operations. Most states have officially delineated Special SAR areas, which establish the geographical areas for which individual states take primary responsibility. For example, in the Mediterranean sea, Italy, Malta, Libya, and Tunisia have delimited their SAR areas, thereby allocating operational responsibilities and enhancing collaboration between national coast guard authorities and international stakeholders.<sup>[(7)]</sup>

In maritime scenarios, radar technology, satellite imaging, and distress signalling systems, i.e., GPS-enabled beacons, are vital to identifying ships in distress. Real-time data sharing among national coast guards, Frontex, and institutions like the International Organization for Migration (IOM) radically improves situational awareness. Artificial Intelligence (AI) is progressively strengthening search and rescue (SAR) operations by facilitating quicker decision-making, predictive mapping, and improved flexibility in coordination. These systems possess the ability to adjust instantaneously to changing circumstances, thus optimizing the use of resources and reducing response times. Future developments can enable partially or fully autonomous search and rescue

operations, thus improving effectiveness in complex maritime domains.<sup>[(8)]</sup>

In desert settings, where the risks include vehicle breakdowns, dehydration, and smuggler abandonment, detection relies more heavily on land patrols, aerial surveillance, and migrant-initiated distress reporting. The use of drones and GIS-based mapping has proven particularly effective in locating stranded individuals and identifying dangerous crossing zones. Investment in these tools strengthens both prevention and response capacities across migration corridors.<sup>[(9)]</sup>

### 2. Rescue Coordination and Immediate Response

SAR operations depend on clearly defined coordination structures. At sea, the The IMO Search and Rescue Convention (1979) ensures that rescue coordination centres (RCCs), shipmasters, and coastal authorities operate under a unified system. The convention obliges all vessels, including private and commercial ones, to respond to distress calls and cooperate in rescue missions. Efficient maritime SAR requires the deployment of high-speed rescue boats, long-range communication equipment, and trained personnel to reach distressed vessels quickly.

7. Anja Radjenovic. Search and rescue in the Mediterranean. European Parliamentary Research Service (EPRS), January 2021.

8. Kemal Ihsan Kilic, Samir Maity, Inkyung Sung, Peter Nielsen, Challenges and AI-driven solutions in maritime search and rescue planning: A comprehensive literature review, *Marine Policy*, Volume 178, 2025, 106692, ISSN 0308-597X, <https://doi.org/10.1016/j.marpol.2025.106692>.

9. Katie Drew. Taking to the skies: displacement, drones, and maps. United Nations High Commissioner for Refugees (UNHCR), 27 September 2016.



In desert regions such as the Sahara, national authorities and humanitarian actors, including IOM, conduct ground-based SAR missions using mobile rescue convoys. These units are typically equipped with water, food, and medical supplies to address the immediate needs of stranded migrants, who frequently suffer from heatstroke, dehydration, and exhaustion. The expansion of mobile rescue stations along key routes has improved response capacity and increased survival rates.<sup>[(10)]</sup>

### 3. Medical and Humanitarian Assistance

Medical and humanitarian assistance form the next immediate step in SAR operations. On-site triage and in-transit care are often necessary to treat injuries, dehydration, trauma, and infections. Ensuring that SAR personnel are trained to deliver emergency healthcare in austere and remote conditions is essential for improving outcomes.

Beyond physical health, mental and psychosocial support is indispensable for individuals who have endured violence, trafficking, or near-death experiences. Mental health care, trauma counselling, and culturally sensitive support services can help restore dignity and promote recovery<sup>[(11)][(12)]</sup>. They can also form an integral part

of a durable solution for certain migrants, such as through Assisted Voluntary Return and Reintegration (AVRR) to their countries of origin. In contexts affected by pandemics or infectious disease outbreaks, SAR actors must also enforce infection prevention measures, including quarantine protocols, PPE usage, and vaccination campaigns. Deploying mobile isolation and testing units can prevent the spread of disease while maintaining life-saving operations.

### 4. Disembarkation and Safe Relocation

Timely and predictable disembarkation is essential to safeguard the well-being of rescued individuals. In the Mediterranean context, bureaucratic delays and political disputes have frequently resulted in migrants remaining aboard vessels for prolonged periods, which not only heightens health risks but also compromises legal protections. To address these challenges, the establishment of dedicated search and rescue (SAR) reception facilities at strategic ports and entry points is crucial. Such facilities help streamline disembarkation procedures and ensure that necessary medical and legal support is readily available upon arrival.

In desert SAR operations, IOM and partner agencies transfer rescued individuals to safe shelters in transit hubs such as Assamaka, Agadez, and Dirkou in Niger<sup>[(13)][(14)][(15)]</sup>. These facilities provide

10. Monica Chiriac. IOM and Niger's Civil Protection Rescue 83 Migrants in Distress in the Sahara Desert. International Organization for Migration (IOM), 8 September 2020.
11. International Organization for Migration (IOM). Mental Health, Psychosocial Response and Intercultural Communication (infosheet), 2013.
12. Nattasuda Taephant, Ph. D, International Organization for Migration (IOM). IOM Training Manual on Psychosocial Assistance for Trafficked Persons, 2010.

13. International Organization for Migration (IOM). IOM Niger: Humanitarian Rescue Operations Search & Rescue Operations | May 2019, 25 June 2019.
14. International Organization for Migration (IOM). Close to 20,000 Migrants Rescued in Sahara Desert Since Beginning of Operations, 25 June 2019.
15. International Organization for Migration (IOM). INFOSHEET - NIGER - MAY2023 - MIGRANT RESPONSE AND RESOURCES MECHANISM. International Organization for Migration (IOM), May 2023.

humanitarian aid and serve as staging points for further support, including options for assisted voluntary return or onward travel. Strengthening and scaling such corridors helps ensure continuity of care and access to essential services.

## 5. Legal Framework and Protection Mechanisms

International law requires coastal states to support rescue missions and prohibits the criminalization of humanitarian activities, including those conducted by non-state actors. Clear legal protections and immunity from liability are necessary to enable SAR organizations to carry out their work without interference or undue risk.

Moreover, the principle of non-refoulement applies regardless of whether a rescued individual has formally sought asylum. States have a responsibility to carefully evaluate each person's circumstances and the conditions in their potential country of return, ensuring that disembarkation does not expose them to direct or indirect harm. Coordination with third countries must be preceded by due diligence to confirm that protection standards will be upheld<sup>[[16]]</sup><sup>[[17]]</sup>. Consequently, rescued individuals must be informed of their rights, including access to asylum, family reunification, and voluntary return. Humanitarian actors play a key role in providing legal counselling, registration,

and referrals to protection mechanisms. Standardizing legal assistance across key SAR locations both in transit and at destination would enhance the consistency and fairness of procedures, ensuring that all rescued persons receive the protections to which they are entitled.

## Challenges in SAR Operations

Despite the existence of international legal frameworks and coordinated systems, Search and Rescue (SAR) operations continue to face significant challenges.

### Resource Limitations

Many countries lack the resources necessary to conduct effective SAR missions, including helicopters, patrol boats, medical teams, and communication systems. States bear the primary responsibility for SAR under international law, but financial and technical constraints may limit their ability to respond adequately. Outdated equipment, personnel shortages, and underfunded SAR programmes create operational gaps that can delay response times and reduce survival rates. Sustainable investment from both donor agencies and national governments is essential to maintain rescue infrastructure and to expand operations in high-risk areas.

### Security Threats

SAR teams operating in conflict-affected areas such as Libya and Mali face elevated security risks. These include threats from armed groups, criminal networks, and traffickers who may view humanitarian operations as a challenge to their revenue

16. International Organization for Migration (IOM), United Nations High Commissioner for Refugees (UNHCR). Joint Statement on Place of Safety, May 2022.

17. United Nations High Commissioner for Refugees (UNHCR). Advisory Opinion on the Extraterritorial Application of Non-Refoulement Obligations under the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, January 2011.





streams. Violence, intimidation, and the presence of unexploded ordnance further complicate rescue efforts. Enhancing security coordination with peacekeeping forces, deploying personnel trained in hostile environment awareness, and maintaining strong situational analysis are essential to protecting SAR teams and ensuring uninterrupted operations.

### Environmental and Climate-Related Hazards

Search and rescue (SAR) operations are increasingly influenced by changing environmental conditions. In desert regions, rising temperatures and prolonged droughts significantly increase the risk of dehydration-related deaths among migrants. Meanwhile, in maritime areas, storm surges and unpredictable sea states complicate safe navigation and rescue efforts. Climate change further exacerbates these challenges by undermining traditional livelihoods in migrants' countries of origin, thereby pushing vulnerable populations toward perilous migration routes and harmful coping mechanisms such as relying on unscrupulous recruitment agencies, human smuggling networks, or falling victim to human trafficking<sup>[(18)][(19)]</sup>.

These environmental hazards complicate detection, prolong rescue times, and strain SAR resources, highlighting the need for climate-adaptive planning and stronger early warning systems in both land and sea corridors.

### Legal and Political Barriers to Effective SAR

The implementation of Search and Rescue operations is increasingly shaped by a combination of legal uncertainty and political considerations. In some contexts, national authorities have introduced legal or administrative measures that restrict the activities of non-governmental organizations engaged in rescue at sea. These restrictions may reduce overall SAR capacity and place additional pressure on state-led responses. Concurrently, differing interpretations of international maritime obligations—particularly concerning SAR zone responsibilities and the concept of a “place of safety”—have contributed to jurisdictional disagreements and delayed interventions.

Disputes over disembarkation responsibilities remain among the most complex and recurring challenges. In June 2018, the *Aquarius* was unable to dock after rescuing 629 migrants, as both Italy and Malta declined port access, leading to a week-long wait before Spain accepted the vessel<sup>[(20)]</sup>. In early 2019, *Sea-Watch 3* was similarly delayed from disembarking rescued individuals for over ten days until the European Court of Human Rights (ECHR)

18. International Organization for Migration (IOM). *Climate Change and Migration in Vulnerable Countries: A snapshot of least developed countries, landlocked developing countries and small island developing States*. International Organization for Migration (IOM), 2019.

19. International Organization for Migration (IOM). *The Climate Change-Human Trafficking Nexus*. International Organization for Migration (IOM), 2017.

20. Aryn Baker. *How One Migrant Ship Became a Symptom of a Sick Europe*. *TIME*, 12 June 2018.

intervened<sup>[(21)][(22)]</sup>. These incidents illustrate how gaps in legal clarity, combined with differing policy approaches, can prolong the time migrants spend at sea and complicate coordination among SAR actors.

Such dynamics underscore the need for clearer regional agreements and standard operating procedures that balance legal obligations with operational realities, ensuring timely and humane disembarkation and support for rescued individuals.<sup>[(23)]</sup>

### First, Second, and Third Countries in SAR Operations

A persistent challenge in SAR operations involves determining which state bears responsibility for accepting rescued migrants following disembarkation. This is often navigated through a conceptual framework that distinguishes between first, second, and third countries of potential reception.<sup>[(24)]</sup>

The first country is typically the nearest coastal state or land-based entry point where disembarkation would be most immediate and logistically feasible. International maritime law generally expects this state to assume responsibility for receiving those rescued. However, a range of factors—including domestic political constraints, limited capacity, or contested safety conditions—may lead the first country to deny entry or delay acceptance.

In such cases, a second country may step in under the terms of bilateral agreements, regional SAR coordination frameworks, or ad hoc arrangements. These countries might be geographically proximate and willing to share the burden of reception when the first country is unable or unwilling to do so. While these agreements can provide a temporary solution, they often lack the predictability and legal clarity required for long-term SAR planning.

A third country may be identified as a location for eventual relocation or processing, particularly under international burden-sharing mechanisms or voluntary cooperation frameworks. Such countries are typically not immediately adjacent to the rescue site but may agree to host rescued migrants for asylum procedures, protection, or temporary stay arrangements. These mechanisms have been explored in several initiatives such as the joint IOM-UNHCR Sustainable Resettlement and Complementary Pathways Initiative (CRISP) but remain limited in scale and consistency<sup>[(25)]</sup>. Controversially, some countries in

21. Dr. Efthymios (Akis) Papastavridis. Sea Watch cases before the EU Court of Justice: An analysis of International Law of the Sea. EU Migration Law Blog, 12 December 2022.
22. Mr Diego García-Sayán, Mr Michel Forst, Mr Obiora C. Okafor, Mr Felipe González Morales, Ms Dubravka Šimonovic. Italy: UN experts condemn criminalisation of migrant rescues and threats to the independence of judiciary. Office of the High Commissioner for Human Rights (OHCHR), 18 July 2019.
23. International Organization for Migration (IOM), Mixed Migration Centre (MMC), Office of the United Nations High Commissioner for Refugees (UNHCR) (2024). On This Journey, No One Cares if You Live or Die: Abuse, Protection and Justice along Routes between East and West Africa and Africa's Mediterranean Coast. Volume 2. IOM, MMC, UNHCR, Geneva.
24. United Nations High Commissioner for Refugees (UNHCR). Legal considerations regarding access to protection and a connection between the refugee and the third country in the context of return or transfer to safe third countries, April 2018.

25. Global Compact on Refugees. Third Country Solutions for Refugees: Roadmap 2030 The next phase of the Three Year Strategy on Resettlement and Complementary Pathways (2019-2021). Global Compact on Refugees (GCR), June 2022.





North America and Europe have attempted to externalize their borders by utilizing the concept of a “Safe Third Country” (STC) which has prompted human rights concerns<sup>[(26)]</sup>.

The absence of binding agreements and clearly articulated disembarkation protocols often results in extended negotiations and humanitarian delays. During this time, rescued individuals may remain stranded aboard vessels without adequate access to medical care, legal advice, or basic necessities. Without a predictable framework for allocating responsibility among first, second, and third countries, SAR operations remain vulnerable to legal and political impasses that put lives at risk.

### How This Relates to “Place of Safety”

The concept of a “place of safety” is central to international maritime law and to the implementation of SAR operations. It refers to a location where rescued persons can be disembarked without being exposed to further danger or threats to their life, liberty, or basic rights. This includes the availability of essential services such as food, shelter, medical care, and access to legal procedures. Once individuals are brought to such a location, the rescue operation is deemed to be complete.

In practice, however, disputes over what qualifies as a place of safety have become one of the most contested aspects of SAR. Some coastal states in the Mediterranean

have refused disembarkation, citing the argument that rescued individuals should be taken to ports in North Africa, such as Libya or Tunisia. Yet, numerous reports by international organizations and human rights bodies have documented conditions in these countries that include arbitrary detention, violence, and a lack of access to asylum procedures. In such cases, returning rescued individuals to these territories may violate the principle of non-refoulement and undermine obligations under international refugee and human rights law.<sup>[(27)]</sup>

This uncertainty leads to policy vacuums, where rescued persons are left in prolonged limbo while negotiations unfold between governments. The absence of a universally accepted interpretation of “place of safety” enables states to shift responsibility and avoid hosting rescued migrants, often leaving humanitarian actors and private vessels with no legal or operational clarity. The resulting delays not only heighten risks for rescued individuals but also discourage future rescue efforts by creating legal, operational and logistical obstacles for vessels engaged in SAR activities<sup>[(28)]</sup>.

### Complications Related to Vessel Flags and Private Ships

SAR operations conducted by private or non-governmental vessels introduce a set of complex legal and jurisdictional challenges

26. Berfin Nur Osso. Unpacking the Safe Third Country Concept in the European Union: B/ orders, Legal Spaces, and Asylum in the Shadow of Externalization, *International Journal of Refugee Law*, Volume 35, Issue 3, October 2023, Pages 272-303, <https://doi.org/10.1093/ijrl/ead028>

27. Office of the High Commissioner for Human Rights (OHCHR). Lethal Disregard Search and rescue and the protection of migrants in the central Mediterranean Sea. Office of the High Commissioner for Human Rights (OHCHR), 26 May 2021.

28. International Organization for Migration (IOM). *Protection Of Migrants at Sea*, 2018.

that remain inadequately addressed under current international frameworks. One of the central issues involves the legal implications of a ship's flag state—that is, the country under which the vessel is registered. The flag state holds certain responsibilities under international maritime law, including the duty to ensure that vessels flying its flag adhere to legal norms and safety regulations. In the context of SAR, the flag state may also be viewed as bearing partial responsibility for those rescued on board, particularly in the absence of a willing coastal state.<sup>[(29)][(30)]</sup>

However, the involvement of private actors in SAR often collides with political sensitivities surrounding migration. Some port states have refused entry to vessels operated by NGOs or commercial ships after they rescued migrants, even when those vessels were acting in accordance with legal obligations to respond to distress calls. The absence of automatic access to a place of safety undermines the operational integrity of SAR missions and places an undue burden on non-state actors.

Commercial shipmasters, in particular, may be reluctant to engage in rescue activities due to fears of legal liability, financial penalties, or long port clearance

delays. These deterrents threaten to erode one of the fundamental pillars of maritime law: the duty to assist those in distress. Without assurances that rescued individuals can be promptly and safely disembarked, the incentive for private vessels to respond to distress situations diminishes.

Legal ambiguities also arise from the interplay between maritime law, refugee protection frameworks, and national immigration policies. While humanitarian law protects the rights of rescued individuals, national regulations may impose barriers that complicate compliance. In practice, both flag states and coastal states often attempt to shift responsibility onto each other, creating grey zones in which neither party is willing to accept jurisdiction. These gaps expose rescued migrants to prolonged uncertainty and undermine the predictability and protection that SAR frameworks are designed to ensure.

### Challenges in Implementing Firewall Policies

A key concern in SAR operations is the lack of effective firewall policies that clearly separate the provision of humanitarian assistance from immigration enforcement. In the absence of such safeguards, migrants in distress may hesitate to seek rescue due to fears of arrest, detention, or deportation. This undermines the humanitarian purpose of SAR and may result in avoidable loss of life.

Firewall policies are intended to ensure that individuals can access emergency support, legal advice, and protection

29. Sofia Galani. *Human Rights Obligations in Maritime Search and Rescue*. *International & Comparative Law Quarterly*, Volume 74, Issue 1, January 2025, pp. 33–60, DOI: <https://doi.org/10.1017/S0020589325000132>

30. United Nations High Commissioner for Refugees (UNHCR). *Legal considerations on the roles and responsibilities of States in relation to rescue at sea, non-refoulement, and access to asylum*. United Nations High Commissioner for Refugees (UNHCR), 1 December 2022.



services without exposure to punitive migration control measures. However, in many jurisdictions, SAR is treated as an extension of border security, blurring the line between rescue and enforcement. This approach has led to situations where humanitarian organizations are prevented from disembarking rescued persons unless they first comply with immigration procedures, effectively making life-saving assistance conditional on administrative clearance.<sup>[(31)]</sup>

The absence of legal protections for SAR actors compounds the issue. NGOs and private vessels conducting rescues are often exposed to legal risk or public vilification, particularly in politically charged environments where migration is framed as a security threat. This creates an atmosphere of uncertainty and fear among migrants, who may choose to avoid calling for help even in life-threatening situations.

To address this, it is essential to establish clear legal and operational distinctions between humanitarian action and migration control. SAR personnel must be able to carry out rescues without being co-opted into enforcement roles, and migrants must be able to access aid without fear of retribution. Implementing firewall policies that respect human dignity and international obligations is a crucial step toward restoring trust in SAR operations and protecting the integrity of humanitarian principles at borders.

31 Red Cross EU Office. Protecting the humanitarian space to access and support migrants. Red Cross EU Office, 25 February 2021.

## Recommendations

### 1. Enhance Coordination and Regional Partnerships

Strengthening cooperation among national agencies, international organizations, and humanitarian actors is essential to the success of SAR operations. Structured partnerships, such as the European Union–IOM SAR initiative in the Sahara, provide effective models for deploying joint rescue teams and sharing early warning information<sup>[(32)][(33)][(34)]</sup>. Expanding such frameworks to other regions can improve situational awareness, ensure rapid deployment, and reduce duplication of effort. In addition, greater engagement with the private sector—particularly commercial shipping companies—can help reinforce the global SAR network. Clear guidelines, legal protections, and outreach efforts are necessary to ensure that private vessels are not deterred from fulfilling their rescue obligations due to fears of liability or operational delays.

### 2. Invest in Search-and-Rescue Infrastructure

Sustained investment in SAR capabilities is critical. Governments must prioritize the

32. International Organization for Migration (IOM). Rapport de mission sur l'évaluation des routes migratoires du 19-25 Juillet, 2017

33. European Commission (EC). Partnership Framework on Migration: Commission reports on results and lessons learnt one year on. European Commission (EC), 13 June 2017

34. Forced Migration Review (FMR). Dangerous journeys: Saving lives and responding to missing migrants and refugees (Issue 75). Forced Migration Review (FMR), May 2025.

procurement of high-speed rescue boats, aerial reconnaissance equipment, mobile desert patrol units, and interoperable communication systems. Countries that experience significant mixed migration flows<sup>(35)\*</sup> should also integrate SAR facilities into broader disaster and emergency response plans. Dedicated funding streams—supported by both domestic resources and international donors—are necessary to maintain and expand these assets. Without reliable infrastructure, SAR efforts will remain reactive, under-resourced, and limited in geographic scope. As concerns the role of climate change, emerging initiatives such as IMRF's FutureSAR emphasize the need for climate-resilient technologies—including AI-integrated drones and weather-adaptive surveillance systems—to enhance SAR capacity in increasingly unpredictable and high-risk environments.<sup>[(36)]</sup>

### 3. Strengthen Safe and Predictable Disembarkation Mechanisms

To prevent humanitarian crises at sea and in remote desert areas, SAR frameworks must

include pre-designated, legally recognized disembarkation points. In maritime contexts, a lack of standardized reception procedures often leads to delays and uncertainty for both rescued persons and rescuers. In contrast, desert-based models—such as the transit hubs in Niger—offer a promising blueprint for structured and humane reception. Expanding such facilities and ensuring they are staffed with trained personnel can improve operational coherence. Drawing on best practices from tools like IOM's Migrant Centre Training Manual<sup>[(37)]</sup>, these centres can also serve as points of coordination between medical, legal, as well as mental health and psychosocial services (MHPSS)<sup>[(38)]</sup><sup>[(39)]</sup>, facilitating a smoother transition from rescue to recovery.

### 4. Improve Legal and Policy Frameworks for SAR Protection

Governments should undertake legal reforms to ensure that SAR operations are consistent with international obligations. This includes repealing or revising laws that criminalize humanitarian actors and rescues conducted by non-state actors<sup>[(40)]</sup>. National

35 \*. Refers to complex population movements involving individuals and groups traveling together along the same routes, but for diverse reasons that may include forced displacement, economic migration, family reunification, environmental pressures, or other personal or structural drivers. These flows encompass people with varying legal statuses and protection needs, such as refugees, asylum seekers, victims of trafficking, and irregular migrants.

36. The International Maritime Rescue Federation (IMRF). *Tides of Change: Adaptive Strategies for Maritime SAR in a Changing Climate*. The International Maritime Rescue Federation (IMRF), March 2024.

37. International Organization for Migration (IOM). *Migrant Centres Toolkit Training Manual*. Practical guidance to train field practitioners, 2023.

38. International Organization for Migration (IOM). *Basic Mental Health and Psychosocial Support and Psychological First Aid Training: Training Manual*, 2024.

39. Inter-Agency Standing Committee (IASC). *IASC Guidelines on Mental Health and Psychosocial Support in Emergency Settings*, 1 June 2007

40. Theodosopoulou, Polyxeni et al. "Rescue medical activities among sea migrants and refugees in the Mediterranean region: lessons to be learned from the 2014-2020 period." *International maritime health* vol. 72,2 (2021): 99-109. doi:10.5603/IMH.2021.0018



SAR policies should reflect commitments under UNCLOS, IMO conventions, and refugee law, particularly the principle of non-refoulement. Establishing firewall provisions between SAR and migration enforcement will help preserve the trust of migrant communities and support the operational independence of SAR actors. Moreover, expanding legal migration pathways can reduce reliance on dangerous routes, thereby easing pressure on SAR systems while offering migrants safer alternatives for movement.

## Conclusion

Search and rescue operations are a humanitarian, legal, and ethical imperative in the context of international migration. When effectively implemented, they provide timely and dignified assistance to migrants in life-threatening situations, regardless of legal status or origin. Ensuring the success of SAR requires adherence to international legal standards, investment in infrastructure, and strong coordination across agencies and borders.

To meet current and emerging challenges—such as climate-induced displacement, legal uncertainty, and shrinking space for humanitarian actors—states must foster supportive legal frameworks and operational environments. Strengthening regional cooperation, establishing predictable disembarkation protocols, and protecting the neutrality of humanitarian assistance are essential to making SAR efforts more responsive, efficient, and humane.

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