Médecins Sans Frontières (MSF) -Input to the Draft of the General Comment No. 38 on Article 22 (Freedom of Association) of the International Covenant on Civil and Political Rights

December 2025

Médecins Sans Frontières (MSF) sends this submission in response to the 'Call for Input for the Draft of the General Comment No. 38 on Article 22 (Freedom of Association) of the International Covenant on Civil and Political Rights'. MSF welcomes this call and the possibility to supporting this draft. The general comment will aid associations, including MSF, to better ensure the application and the respect and a better enjoyment of this right.

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About Médecins sans Frontiéres (MSF)

Médecins sans Frontiéres (MSF) is an international, independent medical humanitarian organisation present in more than 70 countries. We provides medical assistance to people affected by conflict, epidemics, disasters, or exclusion from healthcare. Our teams are made of tens of thousands of health professionals, logistic and administrative staff, bound together by our charter. Our actions are guided by medical ethics and the principles of impartiality, independence and neutrality. We are a non-profit, self-governed, member- based association.

This submission is filed by the *High Seas Mission - Médecins sans Frontiéres*, *Nederalnd* the MSF project operating in the Central Mediterranean sea, carrying out search and rescue activities. MSF started running

Search and Rescue (SAR) operations with vessel in the Central Mediterranean Sea in 2015. To date, with our search and rescue vessels, we have rescued and assisted more than 94,000 people in distress at sea.

Objective of the contribution

The purpose of this submission is to illustrate the possible violation of the right to freedom of association as enshrined in Article 22 of the International Covenant on Civil and Political Rights (ICCPR), by the Italian legislation introduced through Decree Law 1/2023 (commonly known as the *Piantedosi Decree*, named after the Italian Minister of the Interior). This decree was subsequently converted, with amendments, with Law 15/2023, and further modified by Decree Law 145/2024, later converted, with amendments, with Law 187/2024. These decrees have amended the framework previously established by Decree Law 130/2020, which was converted into Law 173/2020.

Specifically:

- Obstruction of Humanitarian SAR Operations. It illustrates how the Italian legislation actively hinders the ability of NGOs engaged in humanitarian search and rescue activities to fulfil their fundamental mission by imposing restrictions on their operations and applying penalties for non-compliance.
- Violation of Freedom of Association. It illustrates how the right of association can be violated not only by preventing the establishment of an association, but also by hindering or preventing the pursuit of the associative purpose for which the organisation itself was created through *de jure* and *de facto* restrictions. This form of violation is even more serious when the purpose of the association is not only fully legitimate, but also aims to protect fundamental and universal human rights.
- Failure to Justify Restrictions. It illustrate how the restrictions and sanctions imposed by Italy on NGOs engaged in SAR activities do not meet the necessity criteria to protect national security, public safety, order, health or morals, or the rights and freedoms of others.

Context

Over the past decade, the European Union and its Member States have progressively withdrawn from their Search and Rescue (SAR) responsibilities towards migrants and refugees in distress in the Central Mediterranean. In the absence of state-led SAR operations along the world's deadliest migration route, NGO vessels have stepped in to fill the void—a role even acknowledged as legitimate by the European.[1] However, the SAR work carried out by NGOs has been systematically hindered and criminalised by EU

[1] Recommendation (EU) 2020/1365 and the memorandum produced in the case before the Court of Justice in Cases C-14/21 and C-15/21)

Member States over the years, particularly by Italy, the primary first point of arrival for people crossing the sea.

Indeed, since 2017, MSF and the other NGOs operating in the Central Mediterranean have faced increasing criminalisation through criminal trials, restrictive laws and policies and public defamation campaigns. The change in government in Italy in 2022 further escalated the radicalisation of policies and practices designed to hinder civil SAR operations.[2]

In January 2023, the Italian government adopted the **Decree Law No. 1 of 2 January 2023** "*Urgent provisions for the management of migration flows*", which was then converted with amendments by the Italian Parliament by the Law No. 15 of 24 February 2023, commonly referred to as the Piantedosi Decree. The legislation has then been amended in December 2024, with Decree Law No. 154/2024, converted into Law No. 187/2024.[3] The Decree has introduced a set of rules restricting humanitarian assistance at sea that applies exclusively to civilian rescue vessels and impose sanctions for non-compliance, ranging from 10 to 60 days of detention in port, to the confiscation of vessels, additionally, financial penalties of up to €50,000 will incur. The declared aim of this law is to regulate the operations of NGOs' vessels involved in rescuing boats of refugees and migrants in distress in the Central Mediterranean, but the clear intention is to control and limit their activities. The negative impact of these measures is further exacerbated by the **practice of assigning distant ports for the disembarkation of rescued survivors**, forcing NGOs' SAR vessels to undertake long and unnecessary journeys. Collectively, these measures have severely hindered the ability of SAR NGOs to save lives by significantly reducing their presence at sea and increasing operational costs.

Since the Decree Law 1/2023 came into force three years ago, **NGO vessels have been detained and fined 36 times**, many of them on multiple occasions (e.g. the MSF ship Geo Barents has been detained 4 times). In total, **900 days** of administrative detention have been imposed, though these were later reduced by the Italian Courts as a result of appeals lodged with the judicial system by the NGOs. In almost all cases, the measures imposed had to be challenged before the courts, resulting in a waste of money, resources, and energy on the part of the organizations.
Moreover, due to the assignment of distant ports from the end of 2022 to 2024, the ships of NGOs operating in the Mediterranean were forced to travel an **additional total of 275,000 km**: six and a half times around the world.[4]

Administrative detentions of ships not only hinder NGOs in carrying out their statutory mission, but also entail significant maintenance costs and legal fees. During these last three years administrative obstacles to operations, forced detentions and financial burdens drastically have reduced NGOs operational

[2] https://fra.europa.eu/en/publication/2025/june-2025-update-ngo-ships-sar-activities
[3] Last version of the law https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legge:2020-10-21;130
[4] https://sosmediterranee.it/2025/02/12/due-anni-di-decreto-piantedosi-e-porti-lontani-in-numeri-il-tragico-bilancio-e-i-costi-umani-delle-politiche-del-governo-meloni/

capacity and jeopardized their very survival. As a result, the ultimate effect is a significant reduction in sea rescue capacity, with a direct impact on the possibility of saving lives.

MSF's vessel- Geo Barents

Since the implementation of the Piantedosi Decree in early 2023, the Geo Barents has faced four sanctions, resulting in 160 days of imposed detention. Successful legal appeals reduced the penalties to a total of 78 detention days over two years, but an additional 41 days in 2024 followed a PSC inspection, giving a total 119 days out of operation in 2023 and 2024.

The Decree Law 1/2023, alongside the distant port assignation practice, significantly undermined the rescue capacity of MSF's Geo Barents that since then had been significantly underutilised. As a result, the number of people that the *Geo Barents* was able to rescue declined dramatically due to:[5]

- A de facto prohibition on conducting multiple rescues
- Time spent transiting to distant ports
- Time lost during detentions.

The time spent in transit towards distant port or in detention means that we are unable to return quickly to the area of operations and respond to other boats in distress.

These delays prevented a swift return to the operational area, limiting the ability to respond to boats in distress and saving people lives. Additionally, challenging these punitive measures consumed significant time and resources. By the end of 2024, MSF was forced to cease operations with the Geo Barents and rethinking its operational model, as it had become unsustainable due to excessive costs and inefficiencies.

Further information can be found in our end-of-operation report, available here.

Overview of the Italian legislation

In its latest formulation, the legislation establishes that *'the Minister of the Interior, in consultation with the Minister of Defence and the Minister of Infrastructure and Transport, after informing the Prime Minister, may restrict or prohibit the transit and stopping of ships in territorial waters, except in the case of military vessels or ships in non-commercial government* service' for reasons of public order and safety (Article 1, paragraph 2), *except for "rescue operations immediately communicated to the coordination centre responsible for maritime rescue in whose area of responsibility the event takes place and to the flag State, and carried out in accordance with the instructions of the aforementioned authorities, issued on the basis of the obligations arising from international conventions on the law of the sea, the European Convention for the Protection of Human Rights and fundamental freedoms, and national, international and European rules on the right of asylum, without prejudice to the provisions of the Additional Protocol to the United Nations Convention against Transnational Organised Crime to Combat the Smuggling of Migrants by Land, Sea and Air, implemented by Law No 146 of 16 March 2006*'. However, for the purposes of non-application of the decree, *'the following conditions must be met jointly:*

[5] In 2024, Geo Barents was able to recue 2,278, half of the people rescue in 2023.

a) the ship carrying out systematic search and rescue activities at sea operates in accordance with the certifications and documents issued by the competent authorities of the flag State and is maintained in compliance with them for the purposes of navigation safety, pollution prevention, certification and training of maritime personnel, and living and working conditions on board;
b) timely steps have been taken to inform the persons taken on board of the possibility of requesting international protection and, if interested, to collect the relevant data to be made available to the authorities;
c) the assignment of a port of disembarkation was requested immediately after the event;
d) the port of disembarkation assigned by the competent authorities is reached without delay for the completion of the rescue operation;
e) the information requested for the purpose of acquiring details relating to the detailed reconstruction of the rescue operation carried out is provided to the Italian search and rescue authorities or, in the case of assignment of a port of disembarkation, to the public security authorities;
f) the ship's search and rescue procedures did not contribute to creating situations that endangered the safety of the migrants or prevent them from reaching the port of disembarkation *in a timely* manner' (Article 1, paragraph 2 bis).
In cases of subsequent violation of the measure adopted pursuant to paragraph 2, '*without prejudice to criminal penalties when the act constitutes a crime, the captain of the ship shall be subject to an administrative penalty of between €10,000 and €50,000'*. This liability extends to the ship-owner and the owner of the ship, and *'the violation shall be followed by the application of an additional administrative penalty of administrative detention for thirty to sixty days of the ship used to commit the violation*'. Pending the adoption of the payment order (which may take place within ten days of the violation), the ship shall in any case be prohibited from sailing.
Furthermore, in the event of a repeat violation committed using the same vessel, *'the additional administrative penalty of confiscation of the vessel shall apply and the investigating body shall immediately proceed with precautionary seizure*'.
It is also established (Article 1, paragraph 2-sexies) that even in the absence of a ministerial measure and related violation *'when the captain of the ship or the ship-owner does not provide the information requested by the competent national authority for search and rescue at sea or by the national structure responsible for coordinating border police and illegal immigration control activities, or does not comply with their instructions, an administrative penalty of between €2,000 and €10,000 shall be applied. The violation shall be followed by the application of an additional administrative penalty of administrative detention for ten to twenty days of the ship used to commit the violation. In the event of a repeat violation, the additional administrative penalty of administrative detention shall be from thirty to sixty* days' and, in the event of a further repeat violation, the ship shall be confiscated and the penalties indicated above '*shall also apply in the event of the absence of one of the conditions referred to in paragraph 2-bis ascertained after the assignment of the port of disembarkation'*.
<u>This penalty system is established for such a wide range of scenarios and with such generic wording that it can in fact be applied to any hypothetical violation deemed by the Public Administration</u>.

Although formally administrative in nature, this system of penalties has been deemed to be so punitive that it falls within the scope of measures that are intrinsically criminal in nature (Italian Constitutional Court, judgment no. 101 of 8 July 2025).[6]

Among the norms contained in the Decree, the following regulatory provisions most restrict the ability to carry out the SAR activities by NGOs

i. **Indirect prohibition of multiple rescues**
The new regulation requires the rescuing vessels to reach the assigned port of disembarkation *'without delay, immediately after carrying out the rescue operation'* (Art. 1, para 2bis let. (b). Civilian rescue ships must head to the place of safety/port assigned by the authorities immediately after each rescue. As a direct consequence, civilian SAR vessels are usually restricted to conducting one rescue at a time, this hinders effective SAR activities by NGO ships, including the possibility to continue active search ("patrolling") after a first rescue. In some cases, they are forced to ignore further alerts of boat in distress unless they receive explicit instructions from Italian maritime authorities to divert course and respond to the specific case.

ii. **Obligation to provide information to the Italian authorities**
The Decree-Law obliges rescue vessels to provide information to the competent authorities '*for the detailed reconstruction of the rescue operation*' (Art. 1, para 2bis let. (e)) without specifying what type of information. This provision essentially allows the national authorities to request for any kind information and NGOs are obliged to provide them together with any required documentation, in practice resulting in excessive, unrelated, and unpredictable information requests, making the work of SAR NGOs more burdensome.

iii. **Contribution to create dangerous situations and compliance with instruction of competent authorities**
The Decree, letter f) of paragraph 2bis, provides for '*vessel's search and rescue procedures at sea do not contribute to a dangerous situation on board situations for the safety of the migrants*'. This provision, which is worded in very general terms, has been used by the authorities to punish NGOs vessel in a wide variety of circumstances and showing a high degree of discretion in its application. In terms of enforcement practice, we see that on several occasions, ships have been detained based on the combination of subparagraph (f) and the first sentence of paragraph 2*bis*, which imposes the obligation to comply with the instructions of the coordination centre responsible for the SAR zone. Here, Italian authorities have accused NGOs of failing to comply with the instructions of the Libyan Coast Guard and thereby contributing to the creation of dangerous situations for migrants. This is despite the fact that both a UN fact-finding mission and Italian case law have recognised that the Libyan Coast Guard is colluding with the country's migrant trafficking system.

[6] https://www.cortecostituzionale.it/scheda-pronuncia/2025/101

Freedom of Association as the foundation of democratic participation

Freedom of association is a guarantee and condition of the democratic nature of a state if, through it, it is possible to exercise and/or protect other rights and fulfil mandatory duties. In this sense, it is characterised not only as the right of individuals to associate, but also by the negative obligation of states to refrain from unlawful interference with that right and the positive obligation of states to guarantee and protect that right.

Organisations that carry out search and rescue (SAR) activities at sea fall within the scope of Article 22 of ICCPR, as they aim to achieve a common lawful purpose through collective work. They are all private, independent entities made up of individuals who operate on a non-profit basis and voluntarily pursue the conventional goal of safeguarding the lives of all people at sea, regardless of their legal or personal status. Pursuant to Article 22, paragraph 2 of the Covenant, the right of individuals to associate is subject to restrictions '*prescribed by law and which are necessary in a democratic society in the interests of national security, public safety, public order, or for the protection of public health, morals or other rights and freedoms of others'*. Therefore, in a free state, the association of individuals is always permitted, even if restrictions are plausible, and these must be identified with regard to the principles of legality and proportionality, as well as the specific interests identified by law. As clarified by the UN Human Rights Committee, pursuant to Article 22(2), any restriction on the right to freedom of association must cumulatively satisfy the following conditions in order to be justified: (a) it must be provided for by law; (b) it may only be imposed for one of the purposes set out in paragraph 2; and (c) it must be 'necessary in a democratic society' for the achievement of one of those purposes.[7]

The measures adopted must therefore also be necessary and proportionate to the legitimate aim pursued by the State. In this case, according to statements made by representatives of the Italian Government, that aim would be to combat the smuggling of migrants.

This requires that the reasons given by the national authorities to justify the legislation be relevant and reasonable. In this regard, it should be noted that Italy, through other legislation (in particular that contained in Legislative Decree 286/98, or the so-called Consolidated Law on Immigration), not only regulates in detail the entry and stay of foreign nationals and stateless persons in Italy, but also punishes with very heavy prison sentences those who, individually or in association with others, facilitate the illegal trafficking of foreign nationals or stateless persons on the national territory. However, the rules set out in Decree Law 1/2023 do not fall within this category, nor are they intended to punish the illegal trafficking of people.

If states consider restricting the right to freedom of association, they must prove that there is an urgent social need that justifies such action. Where such a need exists, states must ensure that any restrictive measures remain within the limits of what is acceptable in a 'democratic society'. As freedom of association is a fundamental right, any lawful restriction must be interpreted very strictly, as it is an exception to the right itself. This means that any restriction must be subject to careful scrutiny to ensure

[7] Ibid.1 and *Aleksander Belyatsky et al. v. BelarusHuman Rights Committee*, *CCPR/C/90/D/1296/2004*

its limits are clearly defined. These limits must also be set in relation to the aims that the individual members intend to achieve through the association, in accordance with the aforementioned principle of proportionality. Any restriction on this right must not disregard the aims that the association intends to pursue, as this would limit or inhibit the rights deriving from it, alongside the right of association. Restricting the right of association may also result in the violation of the rights that the association was established to protect. As the Human Rights Committee has already recognised, the right to freedom of association does not only concern the right to form an association, but also guarantees the right of that association to freely carry out its statutory activities.[8]
In cases where limitations are imposed (given the reference in Article 22 of the Covenant to restrictions that are "necessary in a democratic society" thus invoking the principle of proportionality), the highest degree of balance must be sought between the objectives and justifications for such restrictions, on the one hand, and the rights pursued through the association, on the other. The stronger the protection afforded to these rights by primary legal norms, the more such restrictions must be avoided or carefully weighed.

The case of rescuing shipwrecked individuals at sea, a goal pursued by NGOs engaged in SAR (Search and Rescue) operations, is emblematic in this regard. It is highly significant whether an association's purpose is the protection of another fundamental right or not, as in the former case, any attempt to limit or inhibit such an association must be subject to far stricter rules than in the latter.
Given the essentially criminal nature of the sanctions imposed by Italy on these associations, it is reasonable to assume that the proportionality limits on restrictions to freedom of association have been significantly exceeded by the legislation in question.

The erosion of Freedom of Association: direct and indirect effect

When we argue that Italian legislation imposes limits and restrictions on freedom of association in this context, we are not referring to restrictions directly imposed by Italy at the moment an association is formed with the aim of contributing to the global system of rescue at sea. Rather, we are addressing those measures that interfere with the ordinary exercise of this right and, consequently, with individuals' freedom to decide whether to join or not to join efforts aimed at supporting the global system for rescuing shipwrecked persons and migrants at sea.

This circumstance is crucial, as Italy's enactment and application of essentially criminal provisions against NGOs engaged in SAR results in interference with other fundamental rights. This is because the organisations act with the ultimate aim of protecting human life and supporting coastal states, rather than acting against them.
We therefore believe that the punitive measures introduced by Italian legislation are not justified by the objectives the State seeks to achieve. No NGO active in the field of search and rescue at sea has ever been

[8] *Viktor Korneenko et al. v. Belarus*, Human Rights Committee, CCPR/C/88/D/1274/2004

convicted under criminal laws specifically aimed at combating the illegal trafficking of foreign individuals into Italy.[9] On the contrary, these organizations contribute to a public system by supporting it rather than opposing it.

However, these organisations are subject to stringent restrictions through a system of sanctions that are formally administrative but essentially criminal in nature. These sanctions affect their operations through prolonged administrative detentions and financial penalties. The Italian administrative authorities also engage in other practices aimed at discouraging the exercise of the right of association, such as assigning ports of disembarkation for shipwrecked persons in central and northern Italy (i.e. ports far from the place of rescue). The aim is to wear down the associations' economic resources and restrict their operations over time, as illustrated above.

On the other hand, it cannot be argued that the rules and sanctions introduced by Decree 1/2023 aim to ensure greater efficiency in the rescue system through coordination between public and private actors. If this had been the objective of the legislation, considering the rights at stake and the need for a proper balance of competing interests, it would have been necessary to adopt measures that were not purely repressive and, in any case, to do so following adequate consultation with private stakeholders.

In this regard, reference is made to the "Opinion on the compatibility with European standards of Italian Decree Law no. 1 of 2 January 2023 on the management of migration flows" issued by the Expert Council on NGO Law of the Council of Europe. The opinion underscores the importance of a participatory and inclusive process in lawmaking—an approach that was notably absent in the case of this law, which was adopted through an executive decision by the Government. This legislation was adopted in contradiction to what would have been a necessary best practice: consulting with associations and NGOs operating in this specific field. No organization was consulted prior to the adoption of this legislation, and the public opinions expressed by these organizations were evidently not taken into account during the legislative process.

It is therefore evident that this legislation fails to meet the obligation of States to respect, protect, and facilitate freedom of association. States have a positive duty to take all appropriate measures to enable and support the legitimate activities of associations. Instead, this legislation appears to contravene the negative obligation of non-interference in the lawful activities of private associations.The Special Rapporteur on the rights to freedom of peaceful assembly and of association has reaffirmed that States have both positive and negative obligations in this regard. On the one hand, they must take positive measures to create and maintain conditions that enable individuals to fully exercise the right of freedom of association. On the other hand, *'States have a negative obligation not to unduly impede the exercise of the right to freedom of association. Members of associations should be free to determine their own statutes, structure and activities and to take decisions without interference from the State*'. This principle

[9] https://www.frontlinedefenders.org/pt/case/italian-court-dropped-charges-against-migrant-human-rights-defenders-iuventa-case
https://www.theguardian.com/world/2024/apr/19/italian-court-acquits-crew-of-migrant-refugee-rescue-boat-iuventa

was reiterated by UN Special Rapporteurs -the Special Rapporteur on the situation of human rights defenders, the Independent Expert on human rights and international solidarity, and the Special Rapporteur on the human rights of migrants- in their official communication to the Italian government. In this communication, expressed serious concerns about the impact of Decree-Law 1/2023 and the practice of assigning distant ports.

Indeed, this legislation directly interferes with the right to freedom of association, which in this context is manifested through the carrying out of, and the possibility of carrying out, rescue operations at sea.
In order to assess the extent of this interference, it is necessary to consider the consequences that such action by the state has also on other fundamental rights. The Italian legislation under consideration here also interferes with a second set of fundamental rights, namely those of shipwrecked persons who benefit or could benefit from rescue operations. In this regard, it is worth recalling the Recommendation of the Council of Europe's Commissioner for Human Rights *'Lives saved. Protected rights. Filling the gaps in the protection of refugees and migrants in the Mediterranean'* of June 2019 (in particular, see pp. 38-40), which clearly explained (albeit with reference to the previous, but equally punitive, legislation) the protection gap that periodically arises in the Mediterranean Sea as a result of sanctions against NGOs.
When referring to the range of potential fundamental rights affected by the threat of punitive sanctions against associations, it is necessary to also include the fundamental rights of third parties who may suffer indirect harm as a result, in our case people in distress in the Central Mediterranean sea.
The enhancement of the rights of third parties in the context of the proportionality review also involves the enhancement of the *chilling effect* theory (developed by the United States Supreme Court and already used by some European high courts, see CJEU, Commission v Hungary, 16 November 2021, Case C-821/19), such as the German Constitutional Court, the Strasbourg Court, and also the Italian Constitutional Court (see Order No. 132 of 2020).
The term "*chilling effect*" describes the deterrent impact that the threat of sanctions can have on the activities of associations, particularly when these activities either embody the exercise of a fundamental right or serve to protect the fundamental rights of others.
The sanctions imposed on humanitarian organisations operating in the Central Mediterranean, and in particular the systematic interruption of rescue activities resulting from the application of Italian legislation, have a serious deterrent effect on activities aimed at protecting the fundamental rights of shipwrecked persons: consider the right to life and physical integrity or even the right to seek asylum for people fleeing war and persecution, threatened by the progressive reduction of rescue activities at sea.
If those activities constitute, as in the present case, the specific object of the association's activities, even the mere threat of sanctions against those who carry out those activities constitutes an unlawful restriction on freedom of association.
It is well known that every individual, whether acting alone or in association with others, has an interest not only in avoiding sanctions but also in ensuring that the recognition of the lawfulness of their actions does not come at the cost of burdensome "procedural suffering" or significant economic and personal expenses. Such costs can have detrimental effects on the continuation and effectiveness of their social activities.

This is precisely the case in question, where the activities of NGOs operating in this field have been deemed lawful by the vast majority of the national court decisions. Nevertheless, the administrative detention of ships and the imposition financial penalties have led to stigmatisation and an afflictive burden that is unsustainable in the medium and long term. This stigmatization and hardship have not been alleviated by court rulings affirming the lawfulness of these activities, for the reasons outlined above.
It follows that, taking into account the restriction of the fundamental rights of persons in need of rescue, the blocking of the commendable and indispensable activities carried out by rescue vessels is disproportionate. This stigmatization and hardship have not been mitigated by court rulings affirming the lawfulness of the conduct, for the reasons outlined above.
As a result, given the restriction of fundamental rights of individuals in need of rescue, the obstruction of the commendable and essential activities carried out by NGOs' rescue vessels is disproportionate.

Conclusions

MSF considers that the legislation and the practices of the Italian administrative authorities have the effect to severely undermine the right of freedom of association for private individuals seeking to ensure the protection of human lives at sea, particularly those of migrants in the central Mediterranean, along the route from Libya and Tunisia to Italy and Malta.
This framework circumvents the principles of necessity that should govern punitive criminal measures and it is in conflict with the international human rights system. Furthermore, it lacks any plausible justification and fails to respect the principle of proportionality.
From this perspective, Italian policies described above impose unreasonable and disproportionate restrictions on the freedom of association, specifically targeting organizations that equip and operate vessels with the primary purpose of conducting search and rescue operations at sea.
As a result, these policies jeopardize the operational capacity—and, in some cases, the very existence—of such organizations, burdening them with excessive costs and forcing them into inactivity. This, in turn, has broader consequences, undermining the international system of human rights protection, particularly for migrants and refugees.

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