PICUM publishes a report on criminalisation of solidarity with migrants in the EU

A new report published by the Platform for International Cooperation on Undocumented Migrants (PICUM) highlights what it describes as a persistent trend across the European Union: the criminalisation of individuals and organisations providing assistance to migrants.

According to the 2025 report, at least 110 individuals were involved in legal proceedings during the year in connection with acts of solidarity, including search and rescue operations at sea, the provision of basic assistance, transportation of people in need, and legal or psychological support. Many of these actions were carried out in emergency contexts or professional roles but were subsequently treated as facilitating irregular migration under national laws.

The report notes that a significant proportion of these cases do not result in convictions. More than 90% of the proceedings monitored are either ongoing or have concluded without a final conviction, suggesting that while legal outcomes may be limited, the processes themselves can have a deterrent effect.

In addition to criminal proceedings, PICUM identifies at least 11 organisations that faced administrative sanctions in 13 separate cases. These primarily concern non-governmental organisations involved in search and rescue activities in the Mediterranean, particularly in Italy. Measures reported include fines and the administrative detention of rescue vessels.

The report situates these developments within broader national policy frameworks, including measures that regulate or restrict the operations of non-governmental rescue organisations. In some instances, sanctions have been applied for procedural issues such as failure to provide advance notification of operations or refusal to disembark rescued individuals at designated ports.

Examples from several EU member states are included in the report. In Greece, a Sudanese asylum seeker was detained on charges of human smuggling after steering a vessel in distress, before later being acquitted. In France, individuals and organisations working with unaccompanied minors have reportedly faced legal and administrative scrutiny. Similar cases are noted in Spain and Poland, involving citizens and volunteers assisting migrants in vulnerable situations.

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Beyond formal sanctions, the report also points to indirect forms of pressure on civil society actors, including administrative barriers, public criticism by political figures, and challenges in obtaining or maintaining organisational accreditation. In some countries, organisations providing legal support to migrants have been subject to public scrutiny following litigation at the European level.

Overall, PICUM concludes that the criminalisation of solidarity extends beyond individual legal cases to a broader environment shaped by administrative measures and public discourse. The report suggests that this context may limit the ability of civil society to operate and could affect access to support for people in need.

While acknowledging that many legal proceedings end without conviction, the report highlights the potential impact of prolonged processes and associated costs on individuals and organisations involved. It calls attention to the need for clearer legal frameworks regarding humanitarian assistance to migrants within the European Union.

Source(s)

- Platform for International Cooperation on Undocumented Migrants (21 April, 2026), [Criminalisation of solidarity with migrants in the EU], https://openmigration.org/analisi/criminalizzare-la-solidarieta-il-nuovo-report-picum-2025/

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