

Your topic: write an 750 word essay on the European agenda and migration your essay should be based on the following article and should surmise and critique the article in the light of research the article should be about emmanuela parisciani search and rescue operation in the Mediterranean sea and access to asylum

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Article Critique

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Article Critique: ‘Search and Rescue Operations in the Mediterranean Sea and Access to Asylum: Another ‘Dublin’ by Emanuela Parisciani

Introduction

Recently the famine, conflicts and other natural disasters have overstated the human displacement, whereas the subsequent migration flows have led to create political and humanitarian afflictions in receiving States. In addition, the Middle East and North Africa has rendered important implantation of cooperation agreement for controlling the migration that is negotiated among EU, Northern African and Member states.

As it was observed that the European southern sea border have restricted the pre-border controls like high seas interceptions or the territorial water implementation in third country by Member States acting jointly or individually for the operation conducted by Frontex. With this, a large number of migrants and refugees are crossing the Mediterranean Sea, and risking their lives. There are tragedies occurring on frequent basis and it is important to highlight the urgent strategies in order to come up with better strategies and rescue operation plan. Particularly, there is an urgent need for developing a mechanism for responsibility sharing among all EU member States instead of just operation purposes but to rescue and secure the life of people who are mostly asylum searchers for getting international protection and better future.

Our study is based on exploring important findings and component of the assessing a secure and safe rescue operation in Mediterranean Sea. In short critical analysis of *Search and Rescue Operations in the Mediterranean Sea and Access to Asylum: Another ‘Dublin’* written by Emanuela Parisciani is a part of our discussion.

Critical Analysis

In this article Emanuela (2015), describes the major issue by examining the solution that were put forth by Council Regulation (EC) 656/2014, establishing the rules for surveillance of external sea borders in terms of operation cooperation being directed by Frontex. As the article argues that some of the provision in order to rescue the surveillance does not fits with international law and the responsibility allocation for arrival presented by Regulation risks echoing the Dublin Regulation, as a load that majorly rests on coastal states. In order to avoid such situations, the article is based on dealing and put forward number of proposals that according to Emanuela (2015) is based on further debate among policy makers and legal scholars.

Thus, the work presented by Emanuela (2015) also outlines some of the major existing recommendation for future debate and analysis among researchers and policy makers. Emanuela (2015) suggest that highlight the responsibility and engaging Union for those intercepted or rescue during joint operations being conducted under the guidance of Frontext might have important contribution in shaping up the management ‘fairly’ of external borders and also leading to boost the burden sharing aspect between Member States for responsibility allocation and examining the application of asylum.

It has been observed that specifically in Section II of the article; Emanuela (2015) tries to argue that in spite of guarantee mentioned in art 4 of Council Regulation (EU) 656/2014, the truth is that the only feasible solution to completely respect Member States’ Human rights’ duties, whereas conducting the operation of SAR at sear, is mainly to bring out the rescued people into the territory of EU. Emanuela (2015) also identified the criteria in regulation to elect the landing port, risk extending the previously Mediterranean coastal States strained resources

and overloading their asylum systems, mentioned in section III of the article. It is true that even at present time the member state of Mediterranean are still struggling in meeting up the challenges for dealing with mixed flows of refugees, asylum seekers and migrants. Due to this fact, the article also highlights some valuable suggestion for promoting the mechanism of responsibility sharing among each EU Member states for the people being rescued. This is legally feasible, still the solutions that are presented by different stakeholder including UNHCR and EU commission have unable to receive political favour and support in Member States.

The article has put forth strong points and given valuable solution that needs to be taken under consideration for solving present issue. However it is noted that the perception regarding the distribution is still considered to be 'unfair' by both sides of Mediterranean, due to which still there is no fair agreement on disembarkation has reached so far and the migrants are still considered as bargaining chip among State bordering the Mediterranean.

Conclusion

While considering the difficulty of the growing political situation, the article has widely examined the issue and able to propose possible short and medium term way out in order to shape up fair management of Union's external borders. Proper sections are divided in the article that has categorised major issues and implications to overcome those barriers. The study has primary focused on demonstrating some provision of currently approved regulation for external sea borders surveillance in relation to the operational cooperation that is conducted by Frontex which according to Emanuela (2015) does not fit with International law.

The article argues and stress over the need for allocating responsibility between EU Member States, in order to deal with the situation and to rescue people who are asylum seekers

for the purpose of getting international protection or in case where vulnerable individuals are smuggled from one to another shore of Mediterranean Sea.

References

Emanuela Parisciani, (2015), *Search and Rescue Operations in the Mediterranean Sea and Access to Asylum: Another 'Dublin'*; 29 (2) *Immigration, Asylum and Nationality Law* 158