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Study | 29.06.2022

Resilience and Resistance - a case study

In defiance of the criminalisation of solidarity across Europe

A study by Marta Gionco and Jyothi Kanics (PICUM) commissioned by the Greens/EFA Rights and Democracy cluster

Full study available in [EN](#), [IT](#)

Executive summary and policy recommendations available in [EN](#), [IT](#), [DE](#), [FR](#) and [GR](#)

Acting in solidarity with migrants and refugees in the EU has been difficult for years. Between 2015 and 2019, research shows that at least 171 individuals have been criminalised for solidarity actions with people who fled their homes in 13 EU Member States. And it's not slowing down.

A new study, carried out by Picum and the Greens/EFA Group in the European Parliament, maps new trends in criminalisation and elaborates on recommendations to be taken by the EU.

The study found that between January 2021 and March 2022, no less than 89 people have been criminalised for helping migrants and refugees. These people provided food, shelter, medical assistance, or means of transportation to people having to flee their home country. They also assisted with asylum applications.

These numbers are likely to represent only a very minimal percentage of the people who are criminalised in the EU for their solidarity. It is very possible that many cases were not detected during our research.

Our study found that the majority of cases of criminalisation of solidarity are likely to go unreported because of:

- the fear that media attention could further endanger the relations with the authorities and limit

access to border areas or reception centres;

- the will to preserve the right to private life for volunteers and not to put them and their families at risk;
- or because of the preference of some human rights defenders to not speak out while trials are ongoing.

In the vast majority of the cases (88%), human rights defenders were charged with facilitation of entry, transit or stay, or migrant smuggling.

Another worrying fact underlined in the study is that the criminalisation of human rights defenders who are migrants themselves is even more underreported. These individuals are in a particularly vulnerable situation, risking deportation, pushbacks, arbitrary detention and loss of status. Many face harsh financial, social and economic consequences.

The European Union must take immediate action to fight against the crackdown on solidarity and prevent the criminalisation of humanitarian assistance. The EU should be doing much more to protect human rights defenders, including adequately funding humanitarian assistance and improving human rights monitoring. We urgently need to advance a more balanced EU migration policy in line with European values.

Read more about specific cases of criminalisation of solidarity across the European Union and what the EU can do to address the issue of criminalisation of solidarity in our study.

- [READ THE STUDY](#)
- [READ THE EXECUTIVE SUMMARY AND POLICY RECOMMENDATIONS](#)

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