

Oceans and the Law of the Sea: Report of the Secretary General

UNHCR Contribution 2025

In the absence of protection alternatives along the land routes and safer avenues to seek international protection, refugees and other persons under UNHCR's mandate continued to undertake perilous sea journeys across various regions, including the Atlantic, the Mediterranean Sea, the Caribbean, the Gulf of Aden, the Indian Ocean, the Bay of Bengal and the Andaman Sea. Often travelling alongside migrants seeking better lives, they relied on smugglers, exposing themselves to risks such as trafficking, kidnapping for ransom, and various forms of inhuman treatment, and even death.

During the reporting period, UNHCR intensified its efforts to protect individuals at sea through several key initiatives. Despite the absence of sufficient safeguards in international maritime law for refugees and migrants undertaking sea journeys or the restrictive interpretation provided by several states to the existing norms, especially in relation to the interpretation distress situations and disembarkation in places of safety, UNHCR continued to advocate for a good-faith interpretation of these laws in light of international refugee and human rights standards. In particular, in 2024, UNHCR publicly underlined that States and non-state actors need to promptly respond to any call of distress at sea or treat situations that may lead to distress in a humanitarian and precautionary manner, deploying the necessary rescue capacity in a timely manner.¹ Additionally, UNHCR continued to underline that persons rescued at sea must be disembarked in a place of safety, where their lives are no longer threatened, and their basic human needs are met.² Advocacy and partnerships were strengthened to promote effective, cooperative, and protection-sensitive approaches to search and rescue (SAR) and disembarkation.³ Operational support was also provided at disembarkation points and sea arrival locations. Efforts to support access to asylum and address the root causes of dangerous journeys were also enhanced.

UNHCR maintained active dialogue with the International Maritime Organization (IMO) and the International Chamber of Shipping (ICS), ensuring these organizations were informed and involved in all UNHCR communications with shipping companies regarding SAR operations and continued to engage through the Foundation (former Centre) on Humanitarian Action at Sea in dialogues on the operational challenges of rescue at sea.

UNHCR led advocacy through the Inter-Agency Group on the Protection of Refugees and Migrants Moving by Sea, an informal coalition of international entities with expertise in sea protection. The group analysed SAR practices along different routes and identified gaps in regional responses to protection concerns.

¹ Joint statement by the United Nations High Commissioner for Refugees, the International Organization for Migration, the United Nations Office of the High Commissioner for Human Rights, the United Nations Special Rapporteur on trafficking in persons, especially Women and Children, the United Nations Special Rapporteur on the Human Rights of Migrants and the Centre for Humanitarian Action at Sea, *Distress at sea: a call for a humanitarian and precautionary approach*, 18 December 2024, <https://www.unhcr.org/sites/default/files/2024-12/joint-statement-on-distress-at-sea.pdf>.

² See: UNHCR, *Legal considerations on the roles and responsibilities of States in relation to rescue at sea, non-refoulement, and access to asylum*, 1 December 2022, available at: <https://www.refworld.org/docid/6389bfc84.html>; Inter-Agency Group, *Joint Statement on Place of Safety*, May 2022, available at: <https://www.unhcr.org/media/40227>; and UNHCR, *UNHCR Position on the Designations of Libya as a Safe Third Country and as a Place of Safety for the Purpose of Disembarkation Following Rescue at Sea*, September 2020, available at: <https://www.refworld.org/docid/5f1edec24.html>.

UNHCR is currently carrying out a research project in close cooperation with the Foundation for Humanitarian Action at Sea on criminalization of rescue efforts by humanitarian actors and the shipping sector in key jurisdictions.

Andaman Sea and Bay of Bengal

In 2024, approximately 9,200 Rohingya refugees attempted by sea and river movements. In 2024, 74 per cent of those attempting sea/river journeys were women (31%) and children (43%). 2024 witnessed the highest number of attempted sea/river journeys in the region and was the deadliest year on record since the 2015 Andaman Sea Crisis. These figures make it possibly the per capita deadliest route in the world in 2024. This worrisome trend of steadily increasing numbers is expected to continue for 2025, highlighting the need for urgent and comprehensive responses.⁴ Compared to 2023, there was a 112 per cent increase in the number of people attempting boat movements in 2024, with the vast majority of movements observed between Myanmar and Bangladesh. However, the number of persons arriving by boat in Indonesia from Myanmar or Bangladesh decreased by 66 per cent in 2024. At least 15 tragic boat accidents occurred in 2024 which resulted in 657 people being reported as dead or missing. A substantial proportion (87% in 2024) of boat movements did not reach their intended destinations, with disembarkations or interceptions occurring in Myanmar or Bangladesh, leaving Rohingya refugees in an even more vulnerable situation. Given the insecurity in the refugee camps in Bangladesh, limited opportunities for legal pathways to third-country solutions, lack of effective protection, and the root causes of displacement remaining unresolved, the current trend analysis anticipates a further increase in maritime movements during the 2025-2026 period commencing in September, when weather conditions are expected to be more conducive to travel on the open waters.

Most perilous maritime movements in the Asia-Pacific region occurs across the Andaman Sea and Bay of Bengal, with predominantly Rohingya refugees, the majority of whom are stateless, departing from Myanmar and from refugee camps in Bangladesh. Due to the deteriorating situation in Myanmar, 2024 also saw a significant increase in boat movements crossing the Naf River from Rakhine State to Bangladesh. UNHCR continues to work with States and partners to establish a comprehensive regional response, prioritizing reducing loss of life at sea through SAR, protection-sensitive responses upon disembarkation and advocating for access to safe and legal pathways and to asylum procedures.

Authorities from various agencies within the Government of Bangladesh are active members of the Anti-Trafficking Working Group (ATWG) in Cox's Bazar. The ATWG, co-chaired by UNHCR and IOM, has developed messages to raise awareness about the risks and dangers that may arise before, during and after irregular onward sea movements from Bangladesh. These messages are widely disseminated across all refugee camps. As a result, in 2024, 316 victims of trafficking were identified and assisted.

UNHCR continues its advocacy with regional multi-lateral platforms such as the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime (Bali Process) and ASEAN. In collaboration with the Regional Support Office of the Bali Process (RSO), UNHCR supported capacity-building sessions on Protection at Sea for law enforcement officials from coastal States in South-East Asia and continues the joint development of the innovative Screening and Referral App, to be piloted by interested Bali Process Member States in 2025. UNHCR is furthermore concerned about so-called pushbacks at sea, which may amount to refoulement or lead to situations of (chain) refoulement. UNHCR

⁴ Rohingya refugees: Land and sea/river routes - Quarterly update - as of December 2024, <https://data.unhcr.org/en/documents/details/114965>

was made aware of instances in the region where Rohingya refugees (found in distress at sea) were detained for prolonged period following their rescue, and some of whom were subsequently refouled.

Mediterranean situation

In 2024, some 127,604 refugees and migrants were reported to have attempted to cross the central Mediterranean Sea from Libya, Tunisia, and to a lesser extent from Algeria to Europe, a 41% decrease compared to known attempts in 2023.

Despite this significant decrease in attempted crossings, the Central Mediterranean Sea continued to account for 50% of overall maritime movements from North and West Africa to Europe. Libya accounted for 55% (69,746) of attempted departures, followed by Tunisia with 44% (56,475) and Algeria (1,383) with only 1%. The overall decrease in departures along the Central Mediterranean Sea occurred at the same time as an increase in departures along the Northwest Africa Maritime Route (NWAMR), which saw a 17% increase compared to 2023, where departures particularly from Mauritania intensified from January 2024.

Of the overall 127,604 refugees and migrants who attempted to depart via the Central Mediterranean Sea, 54% reached Europe while 46% (58,777) were intercepted or rescued and disembarked in North Africa. Tunisia and Libya accounted as the main countries of departure in the Central Mediterranean. Italy continued to be the main country of arrivals for those departing from Libya, Tunisia and Algeria, receiving 63,122 individuals in 2024, a 58% decrease compared to the same period in 2023. Most of these arrivals were rescued by Italian authorities, some arrived with no direct assistance, and according to the Italian Institute for International Political Studies (ISPI), over 11,500 persons (18% of the total arrivals) were rescued by SAR NGOs in 2024.⁵ The figures on arrivals in Italy compare with those in Malta (238), and Spain (63,842) respectively. Tunisia and Libya accounted as the main countries of departure in the Central Mediterranean. Additionally, in 2024, a significant increase of arrivals of refugees and migrants from eastern Libya to Greece was observed, following the resumption of movements along this corridor in mid-2023. A total of 4,897 individuals arrived in 2024, five times more than in 2023 (817 individuals). Another 6,097 arrived in Cyprus in the East Mediterranean part. Some 708 people were reported to have died or gone missing in the Central Mediterranean Sea, a decrease from 1,472 persons in previous reporting period.

During the reporting period, between September 2024 and March 2025, a total of 54,779 were known to have attempted to cross the central Mediterranean Sea with 32,291 arrived to Europe, mainly Italy and 20,398 were disembarked in Tunisia and Libya. During this period, 674 are believed to have died or went missing at the central Mediterranean Sea.

Malta opted out of the 2004 SAR amendments, which continues to have implications for its, more restrictive, approach to SAR operations. Meanwhile, Tunisian and Libyan authorities increased their engagement in interceptions of departing boats, which regularly resulted in disembarkations in their national ports. In early April 2024, the Tunisian government announced the creation of a Maritime Rescue Coordination Center (MRCC) and the establishment of a Search and Rescue Region (SRR). Between September 2024 and March 2025, 9,762 people intercepted or rescued and then disembarked in Tunisia, almost the same number of individuals disembarked in Libya (10,636). UNHCR has repeatedly underlined

⁵ [ISPI - Standoffs in the Central Mediterranean \(Crisi in mare\) - Google Sheets](#)

that Libya is not a safe place for disembarkation following rescue at sea,⁶ given the systematic exposure of disembarked refugees and migrants to human rights violations in the country. Throughout the reporting period, the Libyan Coast Guard (LCG) reportedly continued to engage in dangerous maneuvers during SAR operations and used intimidating tactics to dissuade and frustrate rescue efforts by NGOs.

During the reporting period, UNHCR continued convening monthly consultations with the “Central Med SAR Network” which includes NGOs, UN agencies (IOM and OHCHR), and human rights organizations, with ad hoc participation of UN special Procedures and the AU Special Rapporteur on Refugees, Asylum Seekers, Displaced Persons and Migrants in Africa. These meetings provided an active forum to exchange information on SAR trends and challenges and advocacy opportunities. UNHCR and IOM have also been working towards further collaboration on SAR in the Central Mediterranean Sea and the mixed movements, particularly on increasing consistent data sharing and producing joint products.⁷ UNHCR’s Special Envoy for the Western & Central Mediterranean situation engaged with the shipping sector and flag states through communicating formal letters with shipping companies whose vessels were involved in providing assistance to individuals in distress at sea in the Central Mediterranean, or who reportedly failed to do so, with copies sent to the relevant flag States. The initiative aimed to promote transparency and accountability by monitoring the shipping sector’s engagement in rescue efforts, reporting on corporate adherence to human rights and maritime rescue obligations, and advocating for stronger State responsibility and oversight under international maritime law to protect persons in distress at sea.

North-West Africa Maritime Route

Between September 2024 and March 2025, some 30,542 people arrived by sea in the Canary Islands after departing from West and North Africa and 9,740 arrived to Spain mainland after departing from Algeria and Morocco through the western Mediterranean Sea. At least 971 people were reported by IOM Missing Migrants Project to have died at sea along these two routes within this period, but the NGO Caminando Fronteras reported a total of 10,557 dead and missing along these two routes in 2024.⁸

In 2024, the Northwest Africa Maritime Route (NWAMR) saw a significant increase in movements. Mauritania remained by far the main departure point, followed by Morocco and Senegal, and to a lesser extent, The Gambia. Malians were the largest group on the move along this route with lesser numbers of Senegalese, while several nationalities including from countries such as Pakistan, Bangladesh, Somalia, Ethiopia, Guinea and Sudan began to cross via NWAMR to the Canary Islands. Several factors contributed to changes in movement dynamics along the Central Mediterranean Sea, including increased border controls along the routes leading to the Central Mediterranean, security operations targeting smugglers, and restrictive migration policies in North Africa. Additionally, the deteriorating security and humanitarian situation in the Sahel region contributed to this rise in departures from Mauritania and influenced the composition of arrivals. In Mauritania and Morocco, UNHCR continued to work with partners to conduct outreach to people on the move to warn them of the dangers of movements by sea, advising on the protection and assistance options available where they are, including for people in need of international protection.

⁶ UN High Commissioner for Refugees (UNHCR), UNHCR Position on the Designations of Libya as a Safe Third Country and as a Place of Safety for the Purpose of Disembarkation Following Rescue at Sea, September 2020, <https://www.refworld.org/policy/countrypos/unhcr/2020/en/123326>

⁷ UNHCR, IOM. Migrant and Refugee Movements Through the Central Mediterranean Sea: Joint Annual Overview, 28 November 2024, <https://data.unhcr.org/en/documents/details/109256>

⁸ <https://caminandofronteras.org/monitoreo/monitoreo-del-derecho-a-la-vida-ano-2024/>

Within the context of the 2023 Global Refugee Forum, The Gambia and Guinea Bissau used the opportunity of the Multistakeholder Global Refugee Forum to reiterate their commitment vis a vis protection sea and seek the support of relevant actors by pledging to support comprehensive responses to the protection needs of asylum-seekers, refugees, stateless people, and migrants moving by sea. The Gambia, in particular, committed to establish mechanisms for screening and referral of persons with specific needs including children, single women, older persons, persons with disabilities, victims of trafficking and survivors of trauma and ensure strengthened specialized services in addition to ensure access to justice for refugees and migrants subjected to abuse and exploitation prior to and during smuggling by sea.⁹

Gulf of Aden and Western Indian Ocean

Between September 2024 and March 2025, approximately 84,500 people crossed the sea to Yemen, according to IOM DTM Flow Monitoring Registry Dashboard. This marks a significant increase compared to the 12,000 people who made the journey during the same period the previous year (September 2023 to March 2024). UNHCR and partners are working to strengthen communication measures along the routes, aiming to warn individuals of the risks involved and to inform them about available protection and assistance options. At least 522 people are reported to have died or gone missing due to shipwrecks between September 2024 and May 2025 in the Gulf of Aden and the Red Sea.

During the reporting period, a data collection project initiated by UNHCR and Mixed Migration Centre (MMC) in the western Indian Ocean resulted in a validation workshop that took place in Pretoria, South Africa on 5 December 2024. The workshop served as a forum for key stakeholders - including national and local governments, notably from Comoros, Madagascar, Seychelles, Tanzania, and Mauritius, civil society, embassies and donors, humanitarian and development actors and regional scholars - to consult, validate, and discuss the research findings and their implications. The research identified three main migration routes to Mayotte: one begins in the Great Lakes region, particularly the DRC and Burundi, with movement through Tanzania (mainly Kigoma, Dar es Salaam and Mtwara) and then by boat to the Comoros/Mayotte; another starts in Madagascar, where Malagasy and other nationals transit en route to the Comoros or directly to Mayotte; and a third involves direct sea journeys from the East African coast, often by Somalis, bypassing Tanzania, the Comoros, and Madagascar altogether.

The mentioned qualitative research laid the foundation for a broader data collection effort set to begin in Mayotte and the Comoros in 2025. Qualitative research will continue in Tanzania and Madagascar, while the project will also expand to include Seychelles and Mauritius, in response to reported cases of refoulement in the former and a recent influx of Burundian and Nigerian nationals in the latter.

During the reporting period, two high-profile incidents highlighted Madagascar's role and limitations as a transit country in mixed movements toward Mayotte. In November 2024, more than 20 Somali nationals died after two boats capsized off the coast of northwest Madagascar while en route to Mayotte/Comoros. The 48 survivors were brought on land and, in collaboration with the Somali authorities, refouled to Somalia despite UNHCR's advocacy and their claims to be at risk of persecution. In January 2025, 40 individuals of which 36 Somalis, 1 Ethiopian, 1 Comorian and 2 Malagasy nationals were arrested while attempting to board a boat with Mayotte as destination. In April 2025, they were sentenced to 3 months in prison for breaking immigration laws.

⁹ <https://globalcompactrefugees.org/>

On 23 April 2025, SAMCO facilitated a session on UNHCR's mandate and the key principles informing UNHCR's response to mixed movement situations to 20 Comorian border officials. The session was part of an IOM-led project named 'Strengthening Cooperation on Migration Governance in the Union of the Comoros and the United Republic of Tanzania' which aims to contribute to a more effective response to irregular migration across the Mozambique Channel between Tanzania and the Union the Comoros.

Caribbean situation

Available statistics in the north and eastern Caribbean indicate a continued rise in maritime movements along the route towards the Bahamas, with most noteworthy trends occurring in March and April 2024. In these months, the Royal Bahamas Defense Force (RBDF) recorded the apprehension of 875 persons, with an additional 626 individuals apprehended by the Turks and Caicos Islands patrol unit (in collaboration with RBDF). All encountered individuals were Haitian. During this period, information was released of a reported 537 individuals repatriated by sea to Cap-Haïtien by the RBDF, and an additional 60 repatriated by Turks and Caicos authorities. These events follow the last repatriation occurrences in September 2023, of which 55 Haitians were returned by air. While recognizing the ongoing efforts of the competent Coast Guards, UNHCR notes the need to continue to work closely with the authorities of several island states in the region to support the development of systems to ensure the identification of asylum-seekers and other people in need of international protection.

On 10 December 2024, UNHCR conducted a training session on Protection at Sea during a Human Rights Symposium jointly organized jointly by UNHCR Trinidad and Tobago and the Ministry of National Security's Counter-Trafficking Unit. Distinguished stakeholders examined the intersection of human trafficking and refugee rights, with a focus on enhancing protection for the most vulnerable including those seeking international protection using irregular paths. On 11 December 2024, UNHCR trained 12 officers from the Trinidad and Tobago Coast Guard. The training sessions included the Law of the Sea standards and applicable jurisdiction under the different maritime zones, differences between rescue and interception operations, defining distress situations and the concept of place of safety. It emphasized the duty to assist vessels in distress applying a humanitarian and precautionary approach. Additional areas included the intersections with transnational criminal law and international protection principles, particularly the principle of non-refoulement, access to territory and asylum and the non-penalization of asylum-seekers and refugees.

On 30 April 2025, the Dutch Ministry of Defense announced the expansion of the Caribbean Coast Guard, creating 70 new positions to strengthen coastal surveillance and address rising transnational crime, including drug, arms and human trafficking. The Coast Guard will implement 24/7 patrols and intelligence-led operations, particularly around Aruba, Curaçao and Bonaire, in response to increased smuggling from Colombia and Venezuela. Authorities estimate that undocumented Venezuelans now comprise over 10 per cent of the population in Aruba and Curaçao.