

Juryrapport Meijersprijis 2019

Onderzoeksprogramma

The Progression of EU Law: Accommodating Change and Upholding Values

**Beste artikel door een Universitair Docent of andere wetenschappelijke aanstelling,
gepubliceerd in 2017-2018**

Non-Governmental Organisations and Search and Rescue at Sea

van Melanie Fink
(co-auteur: K.C.N. Gombeer)

De jury, bestaande uit dr. M. Jesse, dr. B. Van Rompuy en mr.dr. A. Cuyvers, geeft de volgende motivatie voor toekenning van de prijs:

“In this contribution, which was accepted after a double blind review, the authors examine the legal framework of search and rescue activities executed by Non-governmental organisations (NGOs). This is a highly topical and important topic. With the increasing flows of migration, often at horrendous human cost, the need for additional humanitarian protection, including search and rescue, has only increased. Increasingly, however, this additional protection is now offered by NGO's, for example in search and rescue in the Mediterranean Sea. This leads to practically important and legally challenging questions on inter alia responsibility and liability of such NGO's, often at the intersection of multiple national, regional and international legal systems.

The jury was impressed by the clear and convincing way the contribution managed to address such a topical subject with impressive legal rigor, navigating the complex legal waters and rescuing the reader that might feel lost in this sea of overlapping and sometimes conflicting or seemingly incompatible legal orders. For example, the contribution manages to provide some very specific and clear conclusions on whether NGOs may navigate anywhere in order to render assistance at sea or whether (coastal) states may limit the rights of navigation of NGOs, and on whether coastal states may give NGOs binding instructions concerning whether and how to conduct search and rescue and where to disembark the persons rescued.

For this reason the jury would like to congratulate Melanie Fink on this achievement, and award her the 2018 Meijers award for the PEUL programme. Our congratulations extend, of course, to her co-author Kristof Gombeer, who unfortunately was not eligible for the award itself, as he is still in his PhD phase.”

Leiden Law School, 10 januari 2019