

IV Seminar - 26 March 2021

The facets of humanitarian smuggling. The issue of the High Sea

Ludovica Amato

The absence of liability of migrant smuggling contested against NGOs

Following a succinct analysis of the scenario, that in recent years has seen maritime migrant rescue activities of NGOs turned from a note of merit into humanitarian smuggling, the present work aims to carry out the analysis of the academic discipline of criminal justice concerning the qualification of the work of NGOs as aiding and abetting illegal immigration under the art. 12 of the T.u.i.

Moreover, this work aims to carry out the subsequent analysis of the possibility of attributing the justifying value to the activity of NGOs, and therefore considering it substantially criminally lawful and also to assess which legal justifications can be considered relevant.

Lastly, this work is aimed at carrying out an examination of the jurisprudence currently available on the subject.