

**OPERATION SOPHIA:  
POLICING THE MEDITERRANEAN, THE EU WAY**

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ABSTRACT

In response to the large numbers of irregular migrants being smuggled into Europe from Libya the European Union (EU) launched a naval operation, Operation Sophia, in 2015 to combat human smuggling in the Mediterranean. Operation Sophia is to be conducted ‘in accordance with international law’, including the United Nations Convention on the Law of the Sea (UNCLOS) and the Protocol against the Smuggling of Migrants by Land, Sea and Air supplementing the United Nations Convention against Transnational Organized Crime (UNTOC). But international law does not confer upon States general powers to police the high seas and migrant smuggling is not yet recognised as an international crime. Reliance on these treaties as legal bases for Operation Sophia gives the EU only limited powers. In light of uncertain legality, the EU secured UN Security Council authorisation for Operation Sophia under Resolution 2240 (2015). This article considers the extent to which the law of the sea allows for the interdiction of human smugglers on the high seas and the impact of a related UN Security Council resolution.

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