

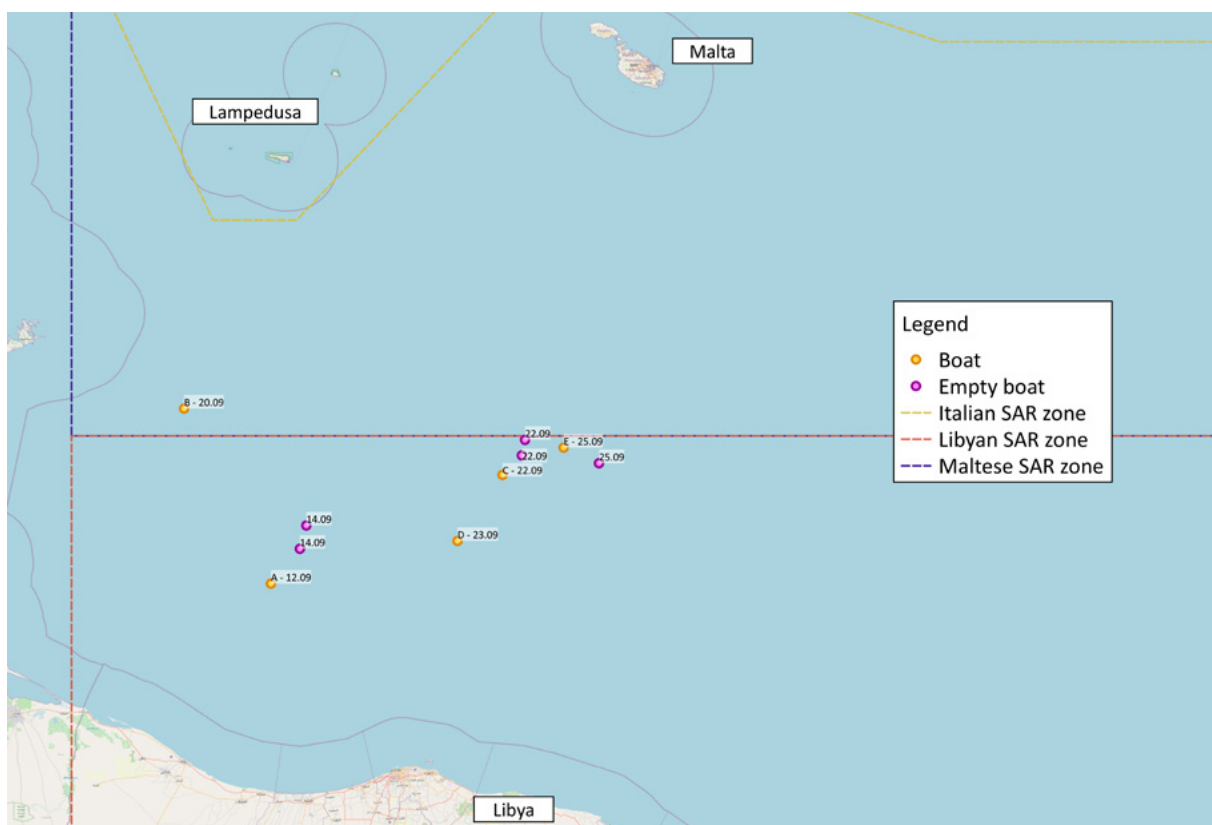
Airborne Monthly Factsheet September 2020

This factsheet outlines a summary of the distress cases witnessed in September 2020 by *Sea-Watch's* Airborne crew from the aircraft *Moonbird* and *Seabird*.¹ In September 2020, we flew **8 missions**, for **65 hours 06 minutes**. We spotted **around 333 persons in distress**. Since 04.09., *Moonbird* has been grounded by the Italian authorities and is currently not allowed to fly.

¹ Since 2017, together with the Swiss NGO *Humanitarian Pilots Initiative*, *Sea-Watch* monitors the Central Mediterranean with the airplanes *Moonbird* and, recently, *Seabird*.

² These numbers are based upon the estimations of *Moonbird's* crew, as well as numbers which the initiative *Watch The Med - Alarm Phone*, the UNHCR and IOM have provided to us.

1. Overview of the distress cases and empty boats spotted



Maltese Search-and-Rescue (SAR) zone

- 1 distress case was rescued by the *Italian Coast Guard* and disembarked in Italy.
- Estimated² number of persons in distress: around 28



Libyan Search-and-Rescue (SAR) zone

- 1 distress case likely arrived independently in Lampedusa, Italy
- 3 distress cases were intercepted by the so-called *Libyan Coast Guard* and pulled back to Libya
- Estimated number of persons in distress: around 305

2. Details and outcome of the distress cases

01.09., **rescue operation of a merchant vessel, lack of cooperation of the Italian Maritime Rescue Coordination Centre (MRCC):** *Moonbird's* crew was informed by the radio operator of the oil platform *Bouri* that a merchant vessel, *Asso Ventinove*, flying the Italian flag, had carried out a rescue operation concerning 18 persons in the Libyan Search-and-Rescue (SAR) zone the day before. *Moonbird's* crew spotted the merchant vessel sailing north. According to the radio operator, *Asso Ventinove* rescued the people when their boat started sinking. Those rescued reported 3 persons missing, who were not found by *Moonbird's* crew. The radio operator of the oil platform requested *Moonbird's* crew to ask the Italian MRCC for information about an Italian patrol boat expected to transship the rescued people, including its estimated time of arrival. The Italian MRCC was uncooperative when our Air Liaison Officer called: the officer took the information but refused to share anything with us, even though the officer knew we were asked to relay information and that our aircraft was on scene. The rescued people were disembarked on 02.09. in Pozzallo, Italy.

From the 04.09., ***Moonbird* has been grounded by the Italian authorities.**

12.09., distress case A, 57 persons: **people in distress not rescued in the Libyan and Maltese SAR zones despite several alerts.** *Seabird's* crew spotted around 57 persons in the Libyan SAR zone. This case was eventually matched with an existing case from the initiative *Watch The Med - Alarmphone*, according to which the people in distress later moved into the Maltese SAR zone. Our Air Liaison Officer informed the Libyan, Maltese and Italian authorities but no rescue assets were deployed. The people likely arrived independently in Lampedusa, Italy the next day.



14.09., **rescue operation of a merchant vessel:** *Seabird's* crew overheard a conversation on the radio between the *Tunisian Coast Guard* and the merchant vessel *Asso Ventinove*, flying the Italian flag. The merchant vessel stated having rescued “around 70” persons, who were actually 95, in the Libyan SAR zone. Later, *Seabird's* crew spotted a number of rescued persons and life vests on board the merchant vessel. The merchant vessel remained unresponsive to *Seabird's* crew on the radio. The crew was not able to spot any remains of the boat. The people were disembarked in Trapani, Italy, on 15.09.

20.09., distress case B, around 28 persons: **failure to render assistance by the Maltese authorities.** *Seabird's* crew spotted the people in distress in the Maltese SAR zone. Some people were wearing life jackets. The Maltese and Italian authorities were informed but did not provide us with any information on any steps taken. It appeared later that the people in distress had called the initiative *Watch The Med - Alarm Phone* as well, which had also informed the authorities. The people were rescued by the *Italian Coast Guard* in the night and disembarked in Lampedusa, Italy.

22.09., distress case C, around 84 persons: **delegation of the duty to render assistance to the so-called *Libyan Coast Guard*, pullback to Libya.** The initiative *Watch The Med - Alarm Phone* was called by the people on board and alerted the authorities. *Seabird's* crew spotted the people in distress later in the Libyan SAR zone. One of the boat's tubes was deflated, and some people went overboard while *Seabird* was on scene. *Seabird's* crew sent out a mayday relay³ on the radio and later observed the ongoing interception by the so-called *Libyan Coast Guard*. The people were pulled back to Libya. The IOM Libya confirmed to us that to their knowledge, no one went missing.

23.09., distress case D, around 29 persons: **unresponsiveness of the Libyan authorities but likely pullback to Libya, non-assistance of a merchant vessel.** *Seabird's* crew spotted around 29 persons in distress in the Libyan SAR zone. The people were waving, and some were wearing life jackets. Their engine was not working. There were not any vessels in the vicinity, and both mayday relays sent out by *Seabird's* crew remained unanswered. The merchant vessel *Asso Trenta*, flying the Italian flag, was 38 nautical miles⁴ away from the people in distress but did not answer *Seabird* on

3 A “mayday relay” is an emergency procedure which provides information about a boat in distress via maritime or aerial radio, requesting any asset in the vicinity to assist.

4 “Nautical miles” (nm) is the unit of measurement used at sea. 1 nautical mile is equal to 1,852 kilometers.



the radio. The shipping company of *Asso Trenta, Augusta Offshore S.p.A.*, was contacted. The operator advised first to call later and then hung up twice on Airborne's Head of Mission (HoM), leaving the HoM no possibility to inform them about the distress situation. The Air Liaison Officer was unable to alert the Libyan authorities: of the 9 possible numbers to reach the authorities, 5 were unresponsive, 2 numbers had an automatic response and 2 numbers hung up immediately. The Italian and Maltese authorities were also informed. The people were likely pulled back to Libya. The people spotted were later matched with an existing case from the initiative *Watch The Med - Alarm Phone*.

25.09., distress case E, 135 persons: **3 dead persons, the so-called *Libyan Coast Guard* refused to retrieve 1 corpse, a merchant vessel rather let the people get intercepted than hinder a pullback to Libya.** *Seabird's* crew on the radio overheard the merchant vessel *Cape Guinea*, flying the flag of the Marshall Islands, sheltering a distress case and mentioning that 1 person was in the water to the so-called *Libyan Coast Guard*. The so-called *Libyan Coast Guard* ordered the vessel to leave the scene, as their patrol boat was approaching. Once *Seabird* was on-scene, the crew spotted the persons in the Libyan SAR zone, with 2 persons in the water and 1 dead body. The merchant vessel was sailing away. *Seabird's* crew later observed the interception of the people by the so-called *Libyan Coast Guard*. Both people in the water were taken on board, the so-called *Libyan Coast Guard* refused however to recover the dead body. After completing the interception, they confirmed on the radio to *Seabird's* crew that there were 2 other dead persons, probably found inside the rubber boat. The people were pulled-back to Libya. The survivors reported to the IOM that 15 persons died.

This month, *Seabird's* crew also **spotted 5 empty boats in the Libyan SAR zone.** Only 1 of them could be matched with a known boat, rescued by the NGO vessel *Open Arms* on 11.09.



These missions highlight once again:

- the deadly consequences of European migration and border policies
- the systematic non-assistance of European Member States and the delegation of rescue operations to the so-called *Libyan Coast Guard*
- the involvement of merchant vessels in rescue operations due to the lack of a European sea rescue program
- the unjustified and systematic delays by European Member States to fulfill their obligations to conduct and coordinate sea rescue in their SAR zones
- the need for NGO vessels in the Central Mediterranean in order to uphold the law and save human lives

5 A “ramp check” is an inspection aimed to ensure the safety and compliance with regulations of flights.

3. Criminalization against *Moonbird*

On 04.09., *Sea-Watch* and *Humanitarian Pilots Initiative* received notification of the prohibition of flights to any destination for *Moonbird* by ENAC, the Italian Civil Aviation authority. This measure was applied immediately and until further notice.

Already in August, the Italian authorities reached out to *Moonbird's* flag of registration, Switzerland, claiming that operations were of a commercial nature and therefore not permitted. While the Swiss authorities contacted *Humanitarian Pilots Initiative* to request clarification on the matter and this process was still ongoing, ENAC grounded *Moonbird* at the beginning of September.

According to ENAC, the amount and regularity of our flights contradict how we have presented the operation towards ENAC in October 2019, and suggest that we would perform Search and Rescue activities. ENAC further states that Search and Rescue can only be carried out by state actors or actors requested by the competent state authorities. As *Moonbird* would conduct these without any authorization, the aircraft would endanger ongoing SAR operations carried out by state actors and the safety of navigation in the area. Therefore, ENAC grounded *Moonbird*.

This prohibition of flight seems even more politically motivated since *Moonbird* underwent several ramp checks⁵ during the



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previous weeks, which were concluded without any findings by ENAC. Furthermore, ENAC was fully informed of the type and legal framework in which we operate, and followed our legal assessment provided to the Italian authorities in autumn 2019, after they prevented *Moonbird* from flying from Lampedusa over a period of 3 months.

Sea-Watch and *Humanitarian Pilots Initiative* are currently working on an appeal against this administrative measure. In addition we requested a single voyage permission to Switzerland from the airport of Lampedusa in order to avoid any damage to the aircraft, which is in an unhealthy environment in Lampedusa with sun, salty and humid air and a lot of dust.

Sea-Watch and *Humanitarian Pilots Initiative* document human rights violations in the Central Mediterranean. Since the end of the lockdown, *Moonbird* and *Seabird's* crew flew 59 missions, for 314 hours and 08 minutes, spotting more than 3334 persons in distress. We were able to document numerous severe human rights violations through our monitoring flights, such as non-assistance cases, situations of cooperation between European authorities and the so-called *Libyan Coast Guard* and pullbacks to Libya.

With this action, the Italian authorities clearly want to close the only eyes at sea which report upon the grave violations of human rights committed by European States on a daily basis. They want that no one should know what is actually happening in the Central Mediterranean. While this measure does not represent the first of its kind⁶, this prohibition of flight represents the heaviest criminalization measure since the launch of Operation *Moonbird*, and endangers the whole project's existence.

At the time of the editorial deadline, we remain operative with *Seabird* from outside Italy.

⁶ Since May 2018, *Moonbird* is not allowed to be based in Malta anymore, as she was between April 2017 and May 2018. We are not allowed to enter Maltese airspace when flying from the Libyan Flight Information Region (which is equivalent to the Libyan SAR zone).