



Sea-Watch.org

ITALY

LAND

Catania

Tunis

Italian search and rescue region

Lampedusa

MALTA

SAVING LIVES IN THE CENTRAL MEDITERRANEAN:

# Rescue Kit

FOR CAPTAINS AND CREWS OF MERCHANT VESSELS

Sfax

TUNISIA

Zuwara

Tripoli

Khoms

Misrata

LIBYA

GERIA

SAVING LIVES IN THE CENTRAL MEDITERRANEAN:

# The Rescue Kit

## for Captains and Crews of Merchant Vessels

This Rescue Kit serves as support for acute rescue situations in cases of distress in the Central Mediterranean Sea. If you need additional ad-hoc support, please do not hesitate to contact us via our support email address:

**[help@sea-watch.org](mailto:help@sea-watch.org)**



1. Edition | August 2020  
© Sea-Watch e.V. | Berlin  
All rights reserved

# Table of Contents

<b>Abbreviations</b> .....	<b>04</b>	<b>3 Legal Framework</b> .....	<b>23</b>
<b>1 Introduction</b> .....	<b>05</b>	3.1 What is a Rescue, and Where is it Ruled? .....	<b>23</b>
<b>2 A Step-by-Step Guide: Assisting a Distress Case</b> .....	<b>08</b>	3.2 Why Should I Rescue? What Are the Consequences if I Refuse to Rescue? .....	<b>23</b>
2.1 Brief Summary .....	<b>08</b>	3.3 Where Should I Disembark the Rescuees? What is a Port of Safety? .....	<b>24</b>
2.2 Distress .....	<b>09</b>	3.4 What if an RCC Gives the Order to Return People to Libya? .....	<b>25</b>
2.3 Your Duty to Render Assistance .....	<b>12</b>	3.5 What is an Asylum-Seeker? What is the 'Principle of Non-Refoulement'? .....	<b>25</b>
2.3.1 Legal Aspects of the Rescue		3.6 Will I Face Criminal Charges if I Rescue? .....	<b>26</b>
2.3.2 Operational Aspects of the Rescue		<b>4 Medical Emergencies</b> .....	<b>27</b>
2.3.2.1 Informing the Appropriate Authorities		4.1 Principles .....	<b>27</b>
2.3.2.2 Preparing the Rescue		4.2 Basic Life Support – Overview of the Most Common Medical Cases .....	<b>27</b>
2.3.2.3 Carrying Out the Rescue		4.3 Interacting with Traumatised People .....	<b>28</b>
2.4 Situation Aboard .....	<b>15</b>	4.4 Dead Persons .....	<b>29</b>
2.4.1 Informing the Appropriate Authorities		4.5 Pregnant Women and Children .....	<b>30</b>
2.4.2 Medical Emergencies		4.5.1 Pregnant Women and Births	
2.4.3 Transhipment		4.5.2 Children and Newborns	
2.5 Disembarkation in a Port of Safety (PoS) .....	<b>18</b>	4.6 Medical Evacuation – Transhipment .....	<b>31</b>
2.5.1 Legal Aspects of the Disembarkation		<b>5 Email Templates</b> .....	<b>33</b>
2.5.2 Operational Aspects of the Disembarkation		<b>6 Contact &amp; Information Sheet</b> .....	<b>38</b>
2.6 After the Disembarkation .....	<b>22</b>	<b>7 Appendix – Secondary Survey</b> .....	<b>40</b>
2.7 Sea-Watch's Involvement .....	<b>22</b>	7.1 Burns .....	<b>40</b>
2.7.1 Operational, Legal and Psychological Support and Public Pressure		7.2 Infections and Hygiene .....	<b>42</b>
2.7.2 Sea-Watch Contact		7.3 Musculoskeletal Trauma .....	<b>42</b>
		7.4 Near-Drowning .....	<b>43</b>

# Abbreviations

<b>CPR</b>	Cardiopulmonary Resuscitation
<b>ECHR</b>	European Convention on Human Rights
<b>ECtHR</b>	European Court of Human Rights
<b>GMDSS</b>	Global Maritime Distress and Safety System
<b>IAMSAR</b>	International Aeronautical & Maritime Search & Rescue Manual
<b>ICAO</b>	International Civil Aviation Organization
<b>ICS</b>	International Chamber of Shipping
<b>JRCC</b>	Joint Rescue Coordination Centre
<b>IMO</b>	International Maritime Organization
<b>ITLOS</b>	International Tribunal for the Law of the Sea
<b>Medevac</b>	Medical Evacuation
<b>MRCC</b>	Maritime Rescue Coordination Centre
<b>NGO</b>	Non-governmental organization
<b>OHCHR</b>	Office of the High Commissioner for Human Rights
<b>ORS</b>	Oral rehydration salts
<b>PoS</b>	Port of Safety
<b>RCC</b>	Rescue Coordination Centre
<b>SAR</b>	Search and Rescue
<b>SOLAS</b>	International Convention for the Safety of Life at Sea
<b>UNCLOS</b>	United Nations Convention on the Law of the Sea
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>WHO</b>	World Health Organization

# 1 Introduction

Sea rescue is anchored in **international law as well as the domestic law** of all states. It affirms that captains have the duty to rescue anyone in distress. Saving lives and rescuing people in distress **is not a favour, but a duty.**<sup>1</sup> Every captain is therefore obliged to rescue anyone in distress or **be faced with criminal and administrative charges in domestic courts.**

The law of the sea and especially the laws applicable to sea rescue **must be considered in light of human rights.**<sup>2</sup> Human rights, as established in the European Convention on Human Rights (ECHR), apply everywhere, both on land and at sea.<sup>3</sup> As a result of suffering, war, persecution and famine, more and more people flee from their home countries and try to reach Europe by crossing the Mediterranean Sea on unseaworthy boats. The duty to render assistance is, therefore, attached to fundamental rules such as the **right of asylum** and the **principle of non-refoulement.**<sup>4</sup> **According to these principles, taking people back to Libya after rescuing them is unlawful, since Libya is not a port of safety (PoS).** The European Court of Human Rights (ECtHR) has already condemned Italy for such behaviour.<sup>5</sup>

<sup>1</sup> Please refer to the 'Legal Framework' [page 23](#) for further information.

<sup>2</sup> Please refer especially to the decisions PCA, Arctic Sunrise (The Netherlands v. Russia), 13.08.2015, <https://pcacases.com/web/sendAttach/1438>; ITLOS, MIV 'SAIGA' (No. 2) (Saint Vincent and the Grenadines v. Guinea), 01.07.1999, [https://www.itlos.org/fileadmin/itlos/documents/cases/case\\_no\\_2/published/C2-J-1\\_Jul\\_99.pdf](https://www.itlos.org/fileadmin/itlos/documents/cases/case_no_2/published/C2-J-1_Jul_99.pdf); ITLOS, The 'Enrica Lexie' Incident, 24.08.2015, [https://www.itlos.org/fileadmin/itlos/documents/cases/case\\_no\\_24\\_prov\\_meas/24\\_published\\_texts/2015\\_24\\_](https://www.itlos.org/fileadmin/itlos/documents/cases/case_no_24_prov_meas/24_published_texts/2015_24_)

[Ord\\_24\\_Aug\\_2015-E.pdf](#)

<sup>3</sup> See the decisions ECtHR Rigopoulos v. Spain, 12.01.1999, <http://hudoc.echr.coe.int/eng?i=001-5625>; Medvedyev v. France, 29.03.2010, <http://hudoc.echr.coe.int/eng?i=001-97979>

<sup>4</sup> Please refer to the 'Legal Framework' [page 23](#) for further information.

<sup>5</sup> See the decision ECtHR, Hirsi Jamaa and others v. Italy, 23.02.2012, <http://hudoc.echr.coe.int/eng?i=001-109231>

Because more and more non-governmental organizations (NGO) vessels are being prevented from conducting Search and Rescue (SAR) missions and there is a lack of state-led rescue programmes, the role of **merchant vessels becomes more important in saving lives in the Central Mediterranean**. Sea-Watch, therefore, offers support to any captain and company confronted with a distress case by sharing operational, legal as well as psychological experience and expertise in the field. **This is the aim of this 'Rescue Kit'. It is to provide the captain of a merchant vessel with all the knowledge required** – from the moment of becoming aware of a distress case until the disembarkation or transshipment – **as to allow for carrying out rescue operations more easily and safely, as well as doing so in accordance with the Law of the Sea and Human Rights Law.**

The following document provides ready-to-use support for acute situations and will:

- help you conduct a safe rescue operation and disembarkation of those rescued to a port of safety (p. 8),
- provide legal explanations of the rights and duties related to the rescued persons at sea (p. 23),
- provide information regarding medical emergencies (p. 27),
- provide a list of email templates to appropriately contact other actors involved in a rescue (p. 33),
- and, finally, provide some important contact details you may need (p. 38).

To make the most out of this 'Rescue Kit', we recommend that you complement your reading with the documents available under the 'Contacts & Information sheet'.<sup>6</sup>

Thanks to our operational expertise, we can also offer additional help with

- **operational support:** support with procedures before, during and after a rescue operation, as well as strategies to manage large numbers of rescued people aboard
- **legal support:** help in legal assessments before, during and after a rescue operation
- **psychological support:** provision of contacts of psychological experts
- **media attention if requested:** raising public awareness of the rescue situation in the media if required by the vessel's owners and master
- **confidentiality** in our work

For further information, please do not hesitate to contact us at:

[help@sea-watch.org](mailto:help@sea-watch.org)

**We are happy to answer any questions you may have.**

<sup>6</sup> ICAO and IMO, International Aeronautical and Maritime Search And Rescue (IAMSAR) Manuals, especially the third Volume; UNHCR, IMO and ICS, The Guide to principles and practice as applied to migrants and refugees; WHO, The

Guide to ship sanitation; Pro-Asyl, Refugees in distress at sea: acting and assisting; Please refer to the 'Contacts & Information Sheet' [page 38](#) for further information and links to these documents.

## 2 A Step-by-Step Guide Assisting a Distress Case

### 2.1 Brief Summary

1. Confirm the reception of the distress message from a boat in distress or another vessel or aircraft by radio and ask for further information if needed. Record details of radio communications in the GMDSS (Global Maritime Distress and Safety System) radio logbook
2. Regardless of whether you have received information about a distress case or have independently sighted a boat in distress, proceed with all speed to the distress position
3. Inform the appropriate authority of the distress case and communicate your intention to conduct a rescue
4. Prepare your ship (lifejackets, lifeboats, lights if it is dark) and brief your crew on the rescue operation
5. Document the rescue in your logbook
6. Keep the crew and the survivors calm while carrying out the rescue
7. Assess possible medical emergencies
8. Inform the appropriate authorities of the rescue and, if needed, request a transshipment (transfer of survivors to another vessel) or a medical evacuation
9. Request a port of safety (which can only be a European port)
10. If you face any difficulty regarding the disembarkation, you may also contact your flag state
11. After the disembarkation, make sure your crew is physically and mentally healthy
12. If not, please provide appropriate help and refer to appropriate help services

**Please contact Sea-Watch at [help@sea-watch.org](mailto:help@sea-watch.org) for any (ad-hoc) support you may need or questions you may have.**

### 2.2 Distress

According to the *International Convention on maritime search and rescue (SAR Convention)*<sup>7</sup>, distress is defined as '*a situation wherein there is a reasonable certainty that a person, a vessel or other craft is threatened by grave and imminent danger and requires immediate assistance*'.<sup>8</sup> The Frontex regulation of the European Parliament and the Council also give some hints as to when to consider a situation a case of distress.<sup>9</sup> According to it, you must consider:

- whether the boat is seaworthy and how likely it is that it will not reach its final destination
- whether the number of persons aboard is proportionate to the type and condition of the boat
- whether necessary supplies such as fuel, water and food are available for the ongoing journey to the coast
- whether a qualified crew and captain are present on board
- whether there are people on board in urgent need of medical assistance
- whether there are any dead people aboard
- whether pregnant women or children are aboard
- how the weather and sea conditions are (including the maritime forecasts)

Since the people are usually travelling on an overloaded, unseaworthy boat without a professional crew, **it is clearly a situation of distress.**

<sup>7</sup> Signed on 27.04.1979 and effective since 22.06.1985.

<sup>8</sup> 1.3.13, Annex of the SAR Convention.

<sup>9</sup> Article 9 Para. 2 f) of the Regulation (EU) Number 656/2014 of the European Parliament and the Council of 15 May 2014 establishing rules

for the surveillance of the external sea borders in the context of operational cooperation coordinated by the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union.

If you see a boat in distress, then you are obliged to inform a Rescue Coordination Centre (RCC) as soon as possible. **Even if the boat is not sinking, the fact that there are people alone at sea is already to be considered a distress situation – which you cannot ignore. You should, therefore, proceed towards the case with maximum speed,** as the situation is not stable.

When contacting the appropriate authority, please provide the following information:

- your position (the exact coordinates)
- your estimated distance from the distress case
- the estimated number of persons in distress
- the type of boat in distress and its condition

As the so-called Libyan JRCC, 'responsible authority' for the Libyan SAR zone, is usually unresponsive and it is, therefore, not sure whether they will provide support, **you should always also inform the Italian and the Maltese RCC.**<sup>10</sup>

You could draft your email as follows:<sup>11</sup>

Dear Sir/Madam,

Please be advised that (YOUR VESSEL) received information through ( ) about a potential distress case at (XX:XX UTC), in position ( ).

Position of (YOUR VESSEL): ( )

Distance and bearing to the boat in distress: ( )

Estimated number of persons in distress: ( )

Type of boat in distress and condition: ( )

I am changing course. I will update you as soon as there is new information.

With regards,

### Libyan JRCC



+218 (214) 44 67 99

+218 (215) 63 15 78



+218 (213) 60 68 68

+218 (214) 44 67 99



salem.elkabir@caa.gov.ly

sar@ans.caa.gov.ly

Interim Telephone:

+218 (214) 44 94 88

Interim Fax:

+218 (214) 44 91 49

+218 (214) 44 92 74

Interim Email:

lcn.nav.room@gmail.com

nha@ltnet.net

### Italian MRCC



+39 (06) 592 35 69

+39 (06) 592 41 45

+39 (06) 59 08 44 09

+39 (06) 59 08 45 27

+39 (06) 59 08 46 97



+39 (06) 592 27 37

+39 (06) 59 08 47 93



itmrc@mit.gov.it

cgcp3rep4@mit.gov.it

itmrc@outlook.it

### Maltese RCC



+356 (21) 80 92 79

+356 (22) 49 42 02

+356 (21) 25 72 67



+356 (21) 80 98 60



rccmalta@gov.mt

## 2.3 Your duty to render assistance

### 2.3.1 Legal Aspects of the Rescue

The rescue of anyone in distress is a **duty under international law** (Article 98 UNCLOS and regulation 33, chapter V, SOLAS Convention). It is also **enshrined in the domestic law of your home country**. Thus, if you don't comply with this obligation, **you may face administrative and criminal charges**, such as the order to pay a fine or a prison sentence. Your license may also be revoked.

Similarly, according to international law, you can not be accused of being a 'smuggler' since you neither financially or materially benefit from the rescue.<sup>12</sup>

### 2.3.2 Operational Aspects of the Rescue

#### 2.3.2.1 Informing the Appropriate Authorities

Keep in mind that boats in distress aren't stable: they could sink within minutes. For this reason, **you should proceed with maximum speed to the distress case and be particularly careful while arriving near a boat in distress**.

After confirming the reception of the distress case on the radio and requesting all necessary information, **you should inform the relevant competent authorities** (RCCs). As already mentioned above, the so-called Libyan JRCC is usually unresponsive and it is, therefore, not sure whether they will provide support. Thus, you should always also inform the Italian MRCC or Maltese RCC.<sup>13</sup>

<sup>12</sup> In article 3a) in the Protocol against the Smuggling of Migrants by Land, Sea and Air (signed on 12.12.2000, effective since 28.01.2004) supplementing the UN-Convention against transnational organized crime, the smuggling of migrants has been defined as the 'procurement, in order to obtain, directly or

indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident'.

<sup>13</sup> Contact details are listed in the 'Contact & Information Sheet' [page 38](#).

You could draft your email as follows:

*Dear Sir/Madam,*

*Please be advised that (YOUR VESSEL) is engaged in a rescue operation at (XX:XX UTC).*

*Position of (YOUR VESSEL): ( )*

*Estimated number of persons in distress: (XX)*

*Type of boat in distress and condition: ( )*

*I will update you as soon as there is new information.*

*With regards,*

#### 2.3.2.2 Preparing the Rescue

**A rescue is a difficult operation that requires specific preparation of your ship and crew.** We recommend that you, *firstly*, **brief your crew** about the rescue operation and answer any questions they may have.<sup>14</sup>

Please emphasise that the people aboard the boat in distress **might have difficulties understanding that you intend to rescue them**. They might be afraid and panic on board must be avoided at all times. Your crew needs to understand that **the rescuees might be in a state of severe trauma and have difficulties trusting you**. However, you have to establish your authority. Therefore, all embarkations have to follow the rule: **'one-by-one, on my command'**.

**At no time will violence be necessary.**

<sup>14</sup> ICS, Large scale rescue operations at sea, 2015, pp. 6, 12.



*Secondly*, you should make (in particular) the following items available:<sup>15</sup>

- blankets, coats, dry clothes
- rescue equipment
- water, food
- medical supplies
- gangways
- lifeboats
- lifejackets
- lifelines<sup>16</sup>
- prepare life rafts for emergency
- portable VHF for the communication with the vessel and the deployed lifeboat
- extra lights and lamps for operation at night<sup>17</sup>

*Thirdly*, details of **the entire rescue operation must be documented in your logbook**.

### 2.3.2.3 Carrying Out the Rescue

**Use the rescue equipment**, such as the lifelines or gangways, to help the people approaching your vessel and climb aboard.<sup>18</sup>

**The objective is to carry out a safe and orderly rescue.** You should, therefore, repeatedly reassure the rescuees and keep them calm. Try to gather families together.

**Wooden boats** are at highest risk to capsize if approached from the side. It is, therefore, essential to **approach them from behind** to make sure that not everyone on board is moving to the same side.

**Rubber boats** are at risk to rupture and deflate when disembarking alongside your ship, so **use fenders or improvise some kind of protection**. Prepare special hoisting gear if you cannot deploy the gangway for immobilized people or children.

The appropriate RCC may also provide you with guidance during the rescue.

**You will find further information in the third volume of the 'International Aeronautical and Maritime Search and Rescue Manuals' (IAMSAR Manuals) of the IMO and ICAO.**<sup>19</sup>

## 2.4 Situation Aboard

### 2.4.1 Informing the Appropriate Authorities

As required by the IMO,<sup>20</sup> you must inform the authorities of the rescuees.

**Please be aware that you must keep some information confidential in case you have potential asylum-seekers aboard.** If some of the rescuees intend to claim asylum, **you must not share personal information of the asylum seekers with the authorities of their country of origin or the country from which they have fled.**<sup>21</sup> If they fled from Libya and intend to claim asylum, you must therefore not share personal information with the so-called Libyan JRCC.

<sup>15</sup> 6-5, 6-6 IAMSAR Manual Vol. III (2019).

<sup>16</sup> You may also use ladders but they are a high risk for people to climb.

<sup>17</sup> Pro Asyl, Refugees in distress at sea: acting and assisting, 2015, p. 11.

<sup>18</sup> 14-1,14-2 IAMSAR Manual Vol. III (2019).

<sup>19</sup> Please refer to the 'Contact & Information Sheet', [page 38](#).

<sup>20</sup> IMO, Resolution MSC.167(78), Guidelines on the Treatment of Persons Rescued at Sea,

20.05.2004, Point 6.10.

<sup>21</sup> UNHCR, Rescue at Sea: A Guide to Principles and Practice as Applied to Migrants and Refugees, p. 10.



Dear Sir/Madam,

Following Art. 98 UNCLOS, paragraph 1.1 of SOLAS regulation V/33 and the SAR Convention 1979, Annex, Chapter 1, Para 1.3.2,

(YOUR VESSEL) carried out a rescue today:

Information on the survivors:

(NAMES, AGE, GENDER, HEALTH STATUS AND ANY SPECIAL MEDICAL NEEDS)

Your assessment of the safety of your vessel: ( )

The actions you have completed or intend to take: ( )

The endurance of your vessel with additional persons on board: ( )

The closest port of safety that you have identified: ( )

Any help that you may need during or after the recovery operation: ( )

*(IF RELEVANT) I also inform you that the people I have rescued may enjoy special protection according to the Geneva Convention of 1951 and the human rights.*

With regards,

## 2.4.2 Medical Emergencies<sup>22</sup>

Once you have carried out the rescue, **you also should not underestimate the stress and the psychological instability of the rescuees aboard.**<sup>23</sup>

Especially, you should be **careful regarding the weather conditions** such as the sun, the heat or cold, and provide enough water to avoid dehydration. **Pregnant women, children and newborns** also require particular attention.<sup>24</sup>

Please refer to **our Medical Emergencies Fact Sheet** and the **International Medical Guide for Ships of the World Health Organization** for further information.<sup>25</sup>

## 2.4.3 Transhipment

**If needed, you should inform the authorities of, for instance, medical emergencies, threatening weather conditions,** and ask for transhipment of the rescuees.

Legally, an RCC has to take into account your ship's intended voyage.<sup>26</sup> **Keep in mind that as captain, you should ensure that the people you have rescued are not disembarked to a place that is not a place of safety, such as Libya or Tunisia.**<sup>27</sup>

<sup>22</sup> Please refer to the 'Medical emergencies' Fact Sheet for further information [page 27](#).

<sup>23</sup> Please feel free to consult our 'Interacting with Traumatised People' section in our 'Medical emergencies' Fact Sheet [page 28](#).

<sup>24</sup> Please refer to our 'Pregnant Women and Children' section in our 'Medical emergencies' Fact Sheet [page 30](#).

<sup>25</sup> This document is available under: [https://www.who.int/water\\_sanitation\\_health/publications/2011/ship\\_sanitation\\_guide/en/](https://www.who.int/water_sanitation_health/publications/2011/ship_sanitation_guide/en/)

<sup>26</sup> 3.1.9, Annex of the SAR Convention.

<sup>27</sup> IMO Resolution MSC. 167(78), Guidelines on the Treatment of Persons Rescued at Sea, 20.05.2004, Point 5.1.6.



Dear Sir/Madam,

*Due to the weather/health/overall situation on board the (YOUR VESSEL), I am requesting a transhipment to an asset which will ensure safe and fast transit to a place of safety in Europe. Under the international law of the sea to which (YOUR VESSEL) strictly adheres, a place of safety is where rescue operations are considered completed and where the lives of survivors are no longer in danger, where they may travel to their next destination and where their basic human needs (such as food, shelter and medical needs) can be met. Because the situation is worsening, I will require transhipment as soon as possible. Please inform me of possible transhipment solutions.*

With regards,

## 2.5 Disembarkation in a Port of Safety (PoS)

### 2.5.1 Legal Aspects of the Disembarkation

According to international law and its definition of 'rescue', the rescuees must be disembarked in a **place of safety** (1.3.2, 3.1.9, Annex of the SAR Convention, 6.12 and following of the IMO Guidelines on the Treatment of Persons Rescued at Sea). It has been defined as **a place where safety of life is guaranteed and basic needs of the rescuees are met**. Both the RCC (3.1.9., Annex of the SAR Convention) and the captain of a vessel are bound by this obligation (5.1.6. IMO Resolution MSC. 167(78), Guidelines on the Treatment of Persons Rescued at Sea).

If the RCC orders you to bring the rescuees back to Libya or Tunisia **YOU SHOULD STRONGLY REJECT: this order does not comply with international law**, since Libya and Tunisia cannot be considered 'places of safety'.<sup>28</sup>

### 2.5.2 Operational Aspects of the Disembarkation

In case you rescue a person who wants to claim asylum: **you may not ask for disembarkation in the country of origin or the country from which the rescuee has fled.**<sup>29</sup>

**You should always and only request a port of safety in Europe.** You could formulate this request as follows:



Dear Sir/Madam,

*As already informed, I have (XX) rescued persons on board (YOUR VESSEL). I am hereby requesting a place of safety for all rescued persons aboard my ship. Following Art. 98 UNCLOS, paragraph 1.1 of SOLAS regulation V/33 and the SAR Convention 1979, Annex, Chapter 1, Point 1.3.2, I am obliged to render assistance and to deliver persons in distress to a place of safety. Taking into account the capabilities of my ship, I am requesting a port of safety in Europe.*

With regards,

**If you've been assigned a port of safety in Europe**, the disembarkation complies with international law, and you should, therefore, disembark there.

**If you've been assigned a port of safety in Libya or Tunisia, the disembarkation doesn't comply with international law, and you should request another port of safety.** You could draft your email as follows:

<sup>28</sup> See the decision of the Preliminary Judge of Agrigent, N. 3169/19 R.G.N.R. N. 2592/19 R.G.GIP, 02.07.2019; Amnesty International,

Between the devil and the deep blue sea, 2018, p.12.

<sup>29</sup> UNHCR, Rescue at Sea: A Guide to Principles and Practice as Applied to Migrants and Refugees, p.10.

Dear Sir/Madam,

Please be advised that (YOUR VESSEL) is a (YOUR FLAG STATE) flagged ship and is obliged to adhere to the (FLAG STATE) international laws regarding the search and rescue of persons in distress at sea.

According to Art. 98 UNCLOS and the point 1.3.2, Chapter 1, Annex, SAR Convention 1979, I am obliged to deliver persons in distress to a place of safety. According to para. 1.1 of the SOLAS regulation V/33 and Resolution MSC.167(78), a place of safety is a place where rescue operations are considered to be completed. It is also a place where the lives of survivors are no longer in danger, where they may travel to their next destination and where their basic human needs (such as food, shelter and medical needs) can be met. Resolution MSC.167(78) furthermore acknowledges that international human rights law and international refugee law, namely Art.33 of the Geneva Refugee Convention, have to be taken into account. Thus, a place where the rescued persons are under a well-founded threat of persecution or ill-treatment cannot be considered a port of safety in terms of the international law of the sea.

IF LIBYA: It is sufficiently documented that, upon disembarkation in Libya, migrants are brought to detention centres where they face arbitrary and unlimited detention, where their basic human rights are not respected and they are exposed to high risk of abuse, including human trafficking, torture, forced labour, and sexual exploitation. This has been confirmed in the UNSMIL report of December 2018 on the situation of migrants and refugees crossing Libya, according to which they are 'subjected to unimaginable horrors'. Libya cannot be considered a place of safety due to the objective situation of high instability and internal armed conflict. As of today, the international community and the EU Commission DO NOT consider Libya a place of safety. The same conclusion has been reached recently by a number of Italian tribunals (Ragusa – 16 Apr 2018 and 11 May 2018, Palermo – 13 June 2018 and 14 October 2018).

IF TUNISIA: Tunisia does not have a national legal framework on asylum. A person claiming asylum is therefore not protected by any law. Further, NGOs such as Human Rights Watch and Amnesty International report numerous human rights violations in Tunisia, including, for instance, mistreatment and the use of torture in prison, or towards the LGBTIQ\* community. In its latest report from 8 August 2018, Amnesty International explicitly stated that Tunisia cannot be considered a place of safety.

In any event, considerations must be made on a case-by-case basis under the above-mentioned regulations, regarding both the specific port assigned and the specific individuals on board. As already informed, we have (XX) rescued persons aboard, among them (XX PREGNANT WOMEN), (XX LGBTIQ\*), (XX INDIVIDUALS OF XX BELIEF) and (XX UNACCOMPANIED) and (XX ACCOMPANIED CHILDREN). (XX) individuals have (XX) nationalities. Moreover, my crew aboard is neither adequately trained nor equipped to determine whether the assertions made by our guests are credible. It is therefore not inconceivable that I have individuals with special needs of protection aboard, whose needs cannot be met in (INSERT SPECIFIC PORT).

As I am committed to strictly observe the stated legal framework, I cannot transfer a survivor directly to or disembark them in a LIBYAN/TUNISIAN port, nor indirectly to another vessel headed next to a port in LIBYA/TUNISIA.

Please provide me with an option for transshipment which ensures the safety of the rescued persons at the place of disembarkation.

With regards,

If you encounter difficulties with the disembarkation, you may reach out to your flag state: a political intervention may help you to disembark.<sup>30</sup>

<sup>30</sup> Pro-Asyl, Refugee in distress at sea: acting and assisting, 2015, p.15.

## 2.6 After the Disembarkation

As captain of your vessel, you are responsible for the safety of your crew. **Please be aware that the health and welfare of your crew may be endangered after a rescue.** A rescue is an uncommon and stressful situation that should never be underestimated and may be the cause of psychological difficulties. **Make sure that your crew is well enough to take on the rest of your voyage.**

## 2.7 Sea-Watch's Involvement

### 2.7.1 Operational, Legal and Psychological Support and Public Pressure

As an NGO operating in the Central Mediterranean since 2015, we have broad experience in rescue operations. **If you organise a rescue in compliance with your obligations and thus decide to sail North to a port of safety, we are happy to support your decision and your operation.**

Sea-Watch e.V. has already provided informal support in past cases, and we would gladly do so again. Over the years, we have, for example, developed a **network of legal experts and psychological professionals whose expertise we would like to share with you. We will treat your rescue operation confidentially.** However, if you decide to go public because you encounter difficulties, for instance, in getting a port of safety assigned in Europe, we would gladly provide **public support** and use our contacts at the European level and with European Member States to **direct attention to your case.**

### 2.7.2 Sea-Watch Contact

Our Advocacy Team and operational departments are happy **to support you and advise you with all means necessary.** Please contact us as soon as you need support or have questions at: [help@sea-watch.org](mailto:help@sea-watch.org)

# 3 Legal Framework

## 3.1 What Is a Rescue, and Where Is It Ruled?

A rescue is legally defined as an operation '*to retrieve persons in distress, provide for their initial medical or other needs, and deliver them to a place of safety*' (1.3.2, Chapter 1, Annex, SAR Convention). **All vessels are required to render assistance in any distress case.**

**The search and rescue operations are enshrined in international law:**

- The Convention on the Law of the Sea – UNCLOS
- The International Convention on Maritime Search and Rescue – SAR Convention
- The International Convention for the Safety of Life at Sea – SOLAS Convention

You may also find the appropriate provisions in the **domestic law of your flag state or your home state** (maritime law, criminal law).

The IMO Guidelines on the Treatment of Persons Rescued at Sea<sup>31</sup> and the IAMSAR Manuals of the ICAO and IMO,<sup>32</sup> which you should have on board, give further information on the rescue operations.

## 3.2 Why Should I Rescue? What Are the Consequences If I Refuse to Rescue?

As a captain, you have a **duty to rescue any vessels in distress, without distinction.** This duty is incorporated in your domestic criminal and maritime

<sup>31</sup> IMO MSC. Resolution 167(68), Guidelines on the Treatment of Persons Rescued at Sea, 20.05.2004, [http://www.imo.org/en/OurWork/Facilitation/personsrescued/Documents/MSC.167\(78\).pdf](http://www.imo.org/en/OurWork/Facilitation/personsrescued/Documents/MSC.167(78).pdf)

<sup>32</sup> Further information may be found on the following link: <http://www.imo.org/en/OurWork/Safety/RadioCommunicationsAndSearchAndRescue/SearchAndRescue/Pages/IAMSAR-Manual.aspx>

law (Article 98 UNCLOS and regulation 33, Chapter V, SOLAS Convention). However, if you don't comply with this duty, **there may be administrative and/or criminal consequences**. You may be ordered to pay a fine or face criminal charges. It is also possible that the non-assistance affects your captain's license. The specific legal consequences depend on your corresponding domestic law.

### 3.3 Where Should I Disembark the Rescues? What Is a Port of Safety?

According to international law, rescued people must be disembarked to a 'place of safety' (3.1.9, Annex of the SAR Convention). **The RCC, as well as the captain of the vessel, are bound by this obligation.** It has been defined as a place where the freedoms of rescued people aren't violated. Thus, as a captain, you have to ensure a disembarkation of the people you have rescued to a place where their safety and their freedoms aren't jeopardised (5.1.6., IMO Resolution 167 (78), Guidelines on the Treatment of Persons Rescued at Sea).

Moreover, human rights, as ruled in several international conventions, apply at sea.<sup>33</sup> The law of the sea including the law that has to be applied to a rescue **should be considered in light of human rights**.<sup>34</sup> The duty to render assistance, therefore, combines with fundamental rights such as the **right of asylum** and the **non-refoulement principle**. **According to these principles, rescuing and bringing the people back to Libya or to any other state in North Africa is unlawful. Only a European port can be considered a place of safety.**

<sup>33</sup> See the decisions ECtHR Rigopoulos v. Spain, 12.01.1999, <https://hudoc.echr.coe.int/eng?i=001-5625>; Medvedyev v. France, 29.03.2010, <http://hudoc.echr.coe.int/eng?i=001-97979>

<sup>34</sup> Please refer especially to the decisions PCA, Arctic Sunrise (The Netherlands v. Russia), 13.08.2015, <https://pcacases.com/web/sendAttach/1438>; ITLOS, MIV 'SAIGA' (No. 2)

(Saint Vincent and the Grenadines v. Guinea), 01.07.1999, [https://www.itlos.org/fileadmin/itlos/documents/cases/case\\_no\\_2/published/C2-J-1\\_Jul\\_99.pdf](https://www.itlos.org/fileadmin/itlos/documents/cases/case_no_2/published/C2-J-1_Jul_99.pdf); ITLOS, The 'Enrica Lexie' Incident, 24.08.2015, [https://www.itlos.org/fileadmin/itlos/documents/cases/case\\_no\\_24\\_prov\\_meas/24\\_published\\_texts/2015\\_24\\_Ord\\_24\\_Aug\\_2015-E.pdf](https://www.itlos.org/fileadmin/itlos/documents/cases/case_no_24_prov_meas/24_published_texts/2015_24_Ord_24_Aug_2015-E.pdf)

UN authorities, humanitarian NGOs and Italian criminal judges have already highlighted that neither Libya nor Tunisia can be considered 'places of safety'.<sup>35</sup> Italy has already been condemned by the European Court of Human Rights for bringing rescued people back to Libya.<sup>36</sup>

Both countries' ports should not be assigned as port of safety. **Hence, you are fully complying with your duties if you disembark in a European port.**

### 3.4 What If an RCC Gives the Order to Return People to Libya?

**The order to take rescued people back to Libya does not comply with the law.** Libya is not a safe country and cannot be considered a 'place of safety'.<sup>37</sup> **Disobeying the order to take rescued people back to Libya is therefore in line with the law**, as confirmed by an Italian judge.<sup>38</sup>

### 3.5 What Is an Asylum-Seeker? What Is the 'Principle of Non-Refoulement'?

According to the UNHCR, an **asylum-seeker is a person seeking international protection as a refugee, whose claim has not yet been definitively evaluated**.<sup>39</sup>

<sup>35</sup> See the OHCHR, Desperate and Dangerous: Report on the human rights situation of migrants and refugees in Libya, 20.12.2018, p. 17; the decision of the Preliminary Judge of Agrigento, N. 3169/19 R.G.N.R. N. 2592/19 R.G.GIP, 02.07.2019; Amnesty International, Between the devil and the deep blue sea, 2018, p. 12.

<sup>36</sup> See the decision ECtHR, Hirsi Jamaa and others v. Italy, 23.02.2012, <http://hudoc.echr.coe.int/eng?i=001-109231>

<sup>37</sup> UNHCR, Position on returns to Libya, September 2018, §§41 and following.

<sup>38</sup> Decision of the Preliminary Judge of Agrigento, N. 3169/19 R.G.N.R. N. 2592/19 R.G.GIP, 02.07.2019.

<sup>39</sup> UNHCR, Rescue at Sea: A Guide to Principles and Practice as Applied to Migrants and Refugees, p.9; <https://www.unhcr.org/pages/49c3646c137.html>

The principle of 'non-refoulement' means that **neither refugees nor asylum-seekers should ever be expelled or returned ('refouled') to a place where their life or freedom would be threatened** because of their race, religion, nationality, membership of a particular social group, or political opinion. This principle is enshrined in Article 33 (1) of the Geneva Convention on the Refugee Status (1951).

**It is customarily accepted that every state must respect this principle.** Italy has already been condemned by the European Court of Human Rights for bringing rescued people back to Libya.<sup>40</sup>

### 3.6 Will I Face Criminal Charges If I Rescue?

If you rescue, **you are complying with your international and domestic legal obligations** according to international law (SAR and SOLAS Conventions, UNCLOS) and following the recommendations of the IMO.

However, in the past years, several captains and their crews have faced severe charges for rescuing, in particular in Italy.<sup>41</sup> **Until now, there has been no conviction by a court of captain or crew.** Similarly, according to international law, you also cannot be accused of smuggling since you neither financially nor materially benefit from the rescue.<sup>42</sup>

<sup>40</sup> See the decision ECtHR, Hirsi Jamaa and others v. Italy, 23.02.2012, <http://hudoc.echr.coe.int/eng?i=001-109231>

<sup>41</sup> For example, the captain of the NGO vessel IUVENTA Pia Klemp and 10 crew members.

<sup>42</sup> In Article 3 a) in the Protocol against the smuggling of migrants by land, sea and air (signed on 12.12.2000, effective since 28.01.2004)

supplementing the UN-Convention against transnational organized crime smuggling of migrants has been defined as the 'procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident'.

## 4 Medical Emergencies

**This chapter aims to support you in dealing with medical emergencies.** Please be aware that these situations may be stressful for your crew, the rescuees and yourself. Generally, the chance of contracting grave and/or tropical illnesses from rescued persons is minimal when basic hygiene is observed. You will have **your specific flag-state medical guidelines and training to fall back on.** You can use assistance via Telemedicine from your flag-state or from your port of call.

Further medical support is available in the Appendix (page 40).

### 4.1 Principles

**Some principles have to be respected:**

- Priorities are to save lives quickly, as well as to provide first aid and stabilisation.
- If possible: You may also treat non-life-threatening conditions.<sup>43</sup>
- Medical evacuation (Medevac) of every severe medical case (including possible health concerns of pregnant mothers and babies under 6 months).

### 4.2 Basic Life Support – Overview of the Most Common Medical Cases

When dealing with injured/sick people, it is crucial to do a fast assessment to allow for initiating life-preserving actions. **Timing is critical** – a systematic approach is fast and can be applied to any patient.

<sup>43</sup> These include sea-sickness, small cuts and abrasions, small traumata, skin infections, and

other non-life-threatening infections, insofar as logistically possible.

The **ABCDE scheme** can be used for identifying life-threatening conditions:

- Airway maintenance and restriction of cervical spine (trauma patients)
- Breathing and ventilation
- Circulation with haemorrhage control
  - Bleeding: You should identify the source of bleeding (external or internal) → Rapid external loss is controlled by manual pressure on the wound areas
  - Major areas of internal bleeding: chest, abdomen, pelvis, long bones pain
  - Cardiopulmonary resuscitation (CPR)
- Disability (Neurologic Evaluation)
- Exposure/Environmental control
  - Hypothermia
    - Ensure a warm environment
    - Make sure the patient is dry – remove wet clothes
    - Use warm blankets
    - Provide warmed-up fluids (oral and i.v.)

### 4.3 Interacting with Traumatized People

Consider that the people you have aboard have lost their homes and families, have probably experienced violence, war, and death. Such events affect people differently – some might have more severe reactions. **You should consider this while interacting with them.**

- Don't pressure them to tell you their stories. However, if they do – listen and be supportive. **Make them feel safe, be patient and calm.**
- Acknowledge how they are feeling, **but also point out their strengths** – how they managed to help themselves.
- Respect their privacy and keep their story confidential.
- If there is a language barrier – even just sitting with them in silence might be supportive.

- Try to approach people who are sitting alone, not talking to the others – **try to address their basic needs for the moment.**
- **Be honest – never promise anything that you cannot do.**
- **Give them information about the situation they are in.**

### 4.4 Dead Persons

You should proceed to **documentation for the identification** of the body.

#### If you find dead bodies in the water:

- You can consider taking them on board if your crew is willing to and if you have the capacity.
- Put them into a body bag and keep them cool (freezer, bow, shaded place).
- Try to handle the corpse with maximum dignity, relatives of the deceased might be among the rescued people.
- If you have no cooled place to store the corpse, you will have to deal with strong smells. Make sure the body is well covered and stored at a place where no crew member or rescuee has to be confronted with it.
- Try to find papers etc. for identification.

#### If you cannot take the dead bodies on board:

Try to take pictures of the face and try to find papers or other items for identification.

**Send the information to the International Committee of the Red Cross so they can try to find and inform the families.**<sup>44</sup>

**Be aware that handling corpses or being confronted with deceased people can be traumatising for your crew!**

<sup>44</sup> Please refer to this link: <https://familylinks.icrc.org/europe/en/Pages/Home.aspx>



## 4.5 Pregnant Women and Children

### 4.5.1 Pregnant Women and Births

In **case of severe bleeding**, establish vascular access with a peripheral venous catheter and give a bolus of one litre of an isotonic solution if available and **consider immediate transshipment!**

**In case of signs of a starting birth, consider immediate transshipment!**

#### If a mother is giving birth:

- Stay calm
- Ask if any other people can help
- The best position for delivery is on hands and knees

After birth, **keep the child warm and give it to the mother for bonding**. After 5 minutes, you should **cut the umbilical cord** (make sure to put a clamp or a cord on both sides before cutting), **wait for the placenta** to get expelled and check if it is complete.

**Keep mother and child dry and warm and consider immediate transshipment!**

### 4.5.2 Children and Newborns

Be aware that children **cannot maintain their body temperature as well as adults**. Therefore, they might **suffer hypothermia earlier than others** on board.

Children also run **a higher risk of dehydration**: Make sure they get enough water or milk. If available, you can add oral rehydration salts (ORS) to the water.

**Don't give any medication to a child** unless you are sure it is the correct dose for the weight of the child.

In case you have a newborn child on board, keep it warm.

**Consider immediate transshipment for the whole family!**

## 4.6 Medical Evacuation – Transshipment

You should consider a medical evacuation (Medevac):

- if the **medical condition of the patient is critical or can not be treated on board of your ship, or the patient needs more medical treatment or diagnostics before you reach a harbour**
- **if the patient poses a threat to crew and guests** on your ship, i.e. due to infectious diseases

Under these circumstances, please **give the relevant patient's information to the authorities in written form and, if needed, also speak to the relevant authorities and explain the medical case to them**. If the patient is **accompanied by relatives**, you should **inform the authorities to prevent family separation**.

- Prepare **transfer documentation** for the patient.
- Make sure **the guests on board are informed and reassured about the medical evacuation**. Frustration and unrest could rise among the rescued people aboard if they realise that medical emergencies get ashore sooner than others.

You could draft the **request for transhipment** as follows:

Dear Sir/Madam,

Due to the worsening health situation on board the (YOUR VESSEL), I am requesting transhipment for (XX) persons to an asset which will ensure safe and fast transit to a place of safety in Europe. Under the international law of the sea to which (YOUR VESSEL) strictly adheres, a place of safety is where rescue operations are considered completed and where the lives of survivors are no longer in danger, where they may travel to their next destination and where their basic human needs (such as food, shelter and medical needs) can be met. The situation is worsening in the next hours, and I am concerned about the health of my passengers.

Please inform me about the urgent measures you take to evacuate the medical cases and the transhipment of the rest of the rescuees.

With regards,

## 5 Email Templates

### Informing the authorities about a distress case

Dear Sir/Madam,

Please be advised that (YOUR VESSEL) received information through ( ) about a potential distress case at (XX:XX UTC), in position ( ).

Position of (YOUR VESSEL): ( )

Distance and bearing to the boat in distress: ( )

Estimated number of persons in distress: (XX)

Type of boat in distress and condition: ( )

I am changing course.

I will update you as soon as there is new information.

With regards,

### Informing the authorities about a rescue operation

Dear Sir/Madam,

Please be advised that (YOUR VESSEL) is engaged in a rescue operation at (XX:XX UTC).

Position of (YOUR VESSEL): ( )

Estimated number of persons in distress: (XX)

Type of boat in distress and condition: ( )

I will update you as soon as there is new information.

With regards,

### Informing the authorities after a rescue

Dear Sir/Madam,

Following Art.98 UNCLOS, paragraph 1.1 of SOLAS regulation V/33 and the SAR Convention 1979, Annex, Chapter 1, Para 1.3.2, (YOUR VESSEL) carried out a rescue today:

- Information on the survivors:  
(NAMES, AGE, GENDER, HEALTH STATUS AND ANY SPECIAL MEDICAL NEEDS)
- Your assessment of the safety of your vessel: ( )
- The actions you have completed or intend to take: ( )
- The endurance of your vessel with additional persons on board: ( )
- The closest port of safety that you have identified: ( )
- Any help that you may need during or after the recovery operation: ( )

IF RELEVANT: I also inform you that the people I have rescued may enjoy special protection according to the Geneva Convention of 1951 and the human rights.

With regards,

### Request for a transhipment

Dear Sir/Madam,

Due to the weather/health/overall situation aboard (YOUR VESSEL) I am requesting transhipment to an asset which will ensure safe and fast transit to a place of safety in Europe. Under the international law of the sea to which (YOUR VESSEL) strictly adheres, a place of safety is where rescue operations are considered completed and where the lives of survivors are no longer in danger, where they may travel to their next destination and where their basic human needs (such as food, shelter and medical needs) can be met. Because the situation is worsening, I will require transhipment as soon as possible.

Please inform me of possible transhipment solutions.

With regards,

### Request for medical evacuation

Dear Sir/Madam,

Due to the worsening health situation on board (YOUR VESSEL) I am requesting transhipment for (XX RESCUED PERSONS) to an asset which will ensure safe and fast transit to a place of safety in Europe. Under the international law of the sea to which (YOUR VESSEL) strictly adheres, a place of safety is where rescue operations are considered completed and the lives of survivors are no longer in danger, where they may travel to their next destination, where their basic needs (such as food, shelter, medical needs) can be met. The situation is worsening in the next hours, and I am concerned about the health of my passengers. Please inform me about the urgent measures you take to evacuate the medical cases and the transhipment of the rest of the rescuees.

With regards,

### Request for a port of safety

Dear Sir/Madam,

As already informed, I have (XX) rescued persons on board (YOUR VESSEL). I am hereby requesting a place of safety for all rescued persons aboard my ship. Following Art. 98 UNCLOS, paragraph 1.1 of SOLAS regulation V/33 and the SAR Convention 1979, Annex, Chapter 1, Point 1.3.2. I am obliged to render assistance and to deliver persons in distress to a place of safety. Taking into account the capabilities of my ship, I am requesting a port of safety in Europe.

With regards,

## Answer if the port of safety assigned is Libya or Tunisia

Dear Sir/Madam,

Please be advised that (YOUR VESSEL) is a (YOUR FLAG STATE) flagged ship and is obliged to adhere to the (FLAG STATE) international laws regarding the search and rescue of persons in distress at sea. According to Art. 98 UNCLOS and the point 1.3.2, Chapter 1, Annex, SAR Convention 1979, I am obliged to deliver persons in distress to a place of safety. According to para. 1.1 of the SOLAS regulation V/33 and Resolution MSC. 167 (78), a place of safety is a place where rescue operations are considered to be completed. It is also a place where the lives of survivors are no longer in danger, where they may travel to their next destination and where their basic human needs (such as food, shelter and medical needs) can be met. Resolution MSC. 167 (78) furthermore acknowledges that international human rights law and international refugee law, namely Art. 33 of the Geneva Refugee Convention, have to be taken into account. Thus, a place where the rescued persons are under a well-founded threat of persecution or ill-treatment cannot be considered a port of safety in terms of the international law of the sea.

IF LIBYA: It is sufficiently documented that, upon disembarkation in Libya, migrants are brought to detention centres where they face arbitrary and unlimited detention, where their basic human rights are not respected and they are exposed to high risk of abuse, including human trafficking, torture, forced labour, and sexual exploitation. This has been confirmed in the UNSMIL report of December 2018 on the situation of migrants and refugees crossing Libya, according to which they are 'subjected to unimaginable horrors'. Moreover, Libya cannot be considered a place of safety due to the objective situation of high instability and internal armed conflict. As of today, the international community and the EU Commission DO NOT consider Libya a place of safety. The same conclusion has been reached recently by a number of Italian tribunals (Ragusa – 16 Apr 2018 and 11 May 2018, Palermo – 13 June 2018 and 14 October 2018).

IF TUNISIA: Tunisia does not have a national legal framework on asylum. A person claiming asylum is therefore not protected by any law. Further, NGOs such as Human Rights Watch and Amnesty International report numerous human rights violations in Tunisia, including, for instance, mistreatment and the use of torture in prison, or towards the LGBTIQ\* community. In its latest report from 8 August 2018, Amnesty International explicitly stated that Tunisia cannot be considered a place of safety.

In any event, considerations must be made on a case-by-case basis under the above-mentioned regulations, regarding both the specific port assigned and the specific individuals on board. As already informed, we have XX rescued person aboard, among them (XX PREGNANT WOMEN), (XX LGBTIQ\*), (XX INDIVIDUALS OF XX BELIEF) and (XX UNACCOMPANIED) and (XX ACCOMPANIED CHILDREN). (XX) individuals have (XX) nationalities. Moreover, my crew aboard is neither adequately trained nor equipped to determine whether the assertions made by our guests are credible. It is therefore not inconceivable that I have individuals with special needs of protection aboard, whose needs cannot be met in (INSERT SPECIFIC PORT).

As I am committed to strictly observe the stated legal framework, I cannot transfer a survivor directly to or disembark them in a LIBYAN/TUNISIAN port, nor indirectly to another vessel headed next to a port in LIBYA/TUNISIA.

Please provide me with an option for transshipment which ensures the safety of the rescued persons at the place of disembarkation.

With regards,

## 6 Contact & Information Sheet

### More information

If you want to deepen your knowledge on sea rescue and migration, you may consult the following websites or download the suggested documents.

The **United Nations High Commissioner for Refugees** (UNHCR) in relation with the **International Maritime Organization** (IMO) and the **International Chamber of Shipping** (ICS) have published a brochure with principles that ought to be respected during a sea rescue:

<https://www.unhcr.org/450037d34.pdf>




Further, the **World Health Organization** (WHO) has developed ship sanitation guidelines (last edition of 2011). These are available under the following link: [https://www.who.int/water\\_sanitation\\_health/publications/2011/ship\\_sanitation\\_guide/en/](https://www.who.int/water_sanitation_health/publications/2011/ship_sanitation_guide/en/)

Moreover, **other NGOs** have developed guidelines in case of a rescue, such as Pro-Asyl with a brochure for skippers and crews in 2015: [https://www.proasyl.de/wp-content/uploads/2015/12/PRO\\_ASYL\\_Guidance\\_Distress\\_at\\_Sea\\_April\\_2015.pdf](https://www.proasyl.de/wp-content/uploads/2015/12/PRO_ASYL_Guidance_Distress_at_Sea_April_2015.pdf)

The **International Maritime Organization** (IMO) is an UN-Agency that is responsible for the safety and security of shipping and the prevention of marine and atmospheric pollution by vessels: <http://www.imo.org/>. Its website may give you information regarding search and rescue operations: <http://www.imo.org/en/OurWork/Safety/RadioCommunicationsAndSearchAndRescue/SearchAndRescue/Pages/Default.aspx>

### Important Contact Details



The **SAR** contact details are available on the public website of the IMO. You find all the contacts you may need during a rescue in the list below.


			
<b>International Maritime Organization</b>	+44 (2 07) 7 35 76 11	info@imo.org	
<b>Italian MRCC</b>	+39 (06) 5 92 35 69 +39 (06) 5 92 41 45 +39 (06) 59 08 44 09 +39 (06) 59 08 45 27 +39 (06) 59 08 46 97	itmrc@mit.gov.it cgcp3rep4@mit.gov.it itmrc@outlook.it	+39 (06) 5 92 27 37 +39 (06) 59 08 47 93
<b>Maltese RCC</b>	+3 56 (21) 80 92 79 +3 56 (22) 49 42 02 +3 56 (21) 25 72 67	rccmalta@gov.mt	+3 56 (21) 80 98 60
<b>Libyan JRCC</b>	+2 18 (2 14) 44 67 99 +2 18 (2 15) 63 15 78  <u>Interim Telephone:</u> +2 18 (2 14) 44 94 88	salem.elkabir@caa.gov.ly sar@ans.caa.gov.ly <u>Interim Email:</u> lcn.nav.room@gmail.com nha@ltnet.net	+2 18 (2 13) 60 68 68 +2 18 (2 14) 44 67 99  <u>Interim Fax:</u> +2 18 (2 14) 44 91 49 +2 18 (2 14) 44 92 74

If you have documented a dead body, please send the information to this website, so the International Committee of the Red Cross can try to find and inform the families: <https://familylinks.icrc.org/europe/en/Pages/Home.aspx>

**International Committee of the Red Cross:**  +41 (22) 7 34 60 01

**Red Cross Italy:**  +39 (06) 47 59 57 17 |  +39 (380) 654 34 62 |  +39 (06) 47 59 57 13

**Red Cross Malta:**  +3 56 (21) 22 10 22 |  tracing@redcross.org.mt

**Sea-Watch:** If you need immediate support during an rescue operation, address your request to the following **emergency address:**  [help@sea-watch.org](mailto:help@sea-watch.org)

## 7 Appendix – Secondary Survey

### 7.1 Burns

#### Stop the burning

Carefully remove the patient's clothes. Do not peel off adherent clothing. Cover the patient with warm, clean, dry linens to prevent hypothermia.

#### Airway control

The airway can become obstructed not only through direct injury (e.g. inhalation) but also through the **massive oedema resulting from the burn injury**.

#### Always assume CO-exposure in patients who got burned in closed areas

Symptoms might be:

- Headache
- Nausea
- Confusion
- Coma

As a consequence, **any patient who has been exposed to CO should receive high-flow (100%) oxygen via a non-rebreathing mask!**

#### Wound care

Burns are painful to airflow.

- **Rinse it with wound irrigation solution:** e.g. Prontosan, Serasept or equivalents
- **Gently cover the burn** with clean sheets
- **BUT do not** break blisters or apply any antiseptic agents

Beware, **application of cold water might cause hypothermia**, do not apply cold water or cold compresses to burns greater than 10% which is 10x the palm of the person.

#### A fresh burn is a clean area that must be protected from contamination!

- If necessary, clean a dirty burn with sterile saline or wound irrigation solution.
- Make sure that all caregivers around the patient wear sterile gloves.

#### Chemical burns

Chemical burns are caused by exposure to acids, alkalis, or petroleum. In the case of boats in distress, the mixture of fuel and saltwater often causes severe chemical burns.

- **We recommend rapid removal of the chemicals and immediate attention to the wound!**
- Immediately flush away the chemicals with large amounts of warm water for at least 20–30 minutes, using a shower or a hose. In the case of fuel burns, liquid soap may be helpful.
- Neutralising agents offer no advantage to water damage: the reaction with the neutralising agent may cause more heat and therefore further tissue damage.
- Always obtain the manufacturer's Material Safety Data Sheet to contact a poison centre for the purpose of identifying potential toxicities.

## 7.2 Infections and Hygiene

Everybody should **wash their hands with soap** before and after the meal and before and **after using the toilet**.

If there are signs of an infectious disease like diarrhoea, from which several persons are suffering, on board:

- If possible, try to separate the sick from the healthy to prevent the disease from spreading.
- Ask them to use a different toilet if available.
- The chance of contracting grave and/or tropical diseases from rescued persons is minimal.

## 7.3 Musculoskeletal Trauma

Musculoskeletal injuries are often caused by blunt trauma. Even if you see an obvious musculoskeletal injury, **DON'T reorder your ABCDE assessment**.

- During the primary survey, it is important to **recognise and control haemorrhage from musculoskeletal injuries**.
- **Check the pulse and peripheral nerve status of the injured limb**.

### Potentially life-threatening extremity injuries:

- Major arterial haemorrhage
- Pelvic trauma
- Femoral fractures (haemorrhage from long bone fractures, femoral
- fractures can result in significant blood loss into the thigh)

### To control haemorrhage: apply direct pressure!

- Appropriate splinting of fractures can significantly reduce bleeding: The goal of immobilisation of fractures **is to realign the injured extremity as close as possible to its normal anatomic position** and prevent motion.
- Proper immobilisation **helps reduce blood loss and pain and prevents further damage** (of vessels or nerves).

### If the fracture is open:

- In addition to splinting, apply **sterile pressure dressing** to control the haemorrhage
- All open fractures should be treated with antibiotics i.v
- Open fractures need surgical debridement as fast as possible: **please request immediate transshipment!**
- You should consider transshipment in every fracture case, but open fractures cases should be prioritised

## 7.4 Near-Drowning

Drowning is a death caused by suffocating under water. In general, you should treat people that almost drowned **like other trauma patients** – follow the ABCD scheme – if a person is unconscious – start resuscitation:

- It is important to take off wet clothes and cover the person with warm blankets
- Provide oxygen if available