



Airborne

Annual Report

2020

**AIN'T NO
BORDER
HIGH
ENOUGH**

Sea-Watch e.V. is a non-profit organization that conducts civil search and rescue operations in the Central Mediterranean. We demand and push for a European search and rescue program, stand up for safe and legal escape routes as well as freedom of movement for all.



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Introduction

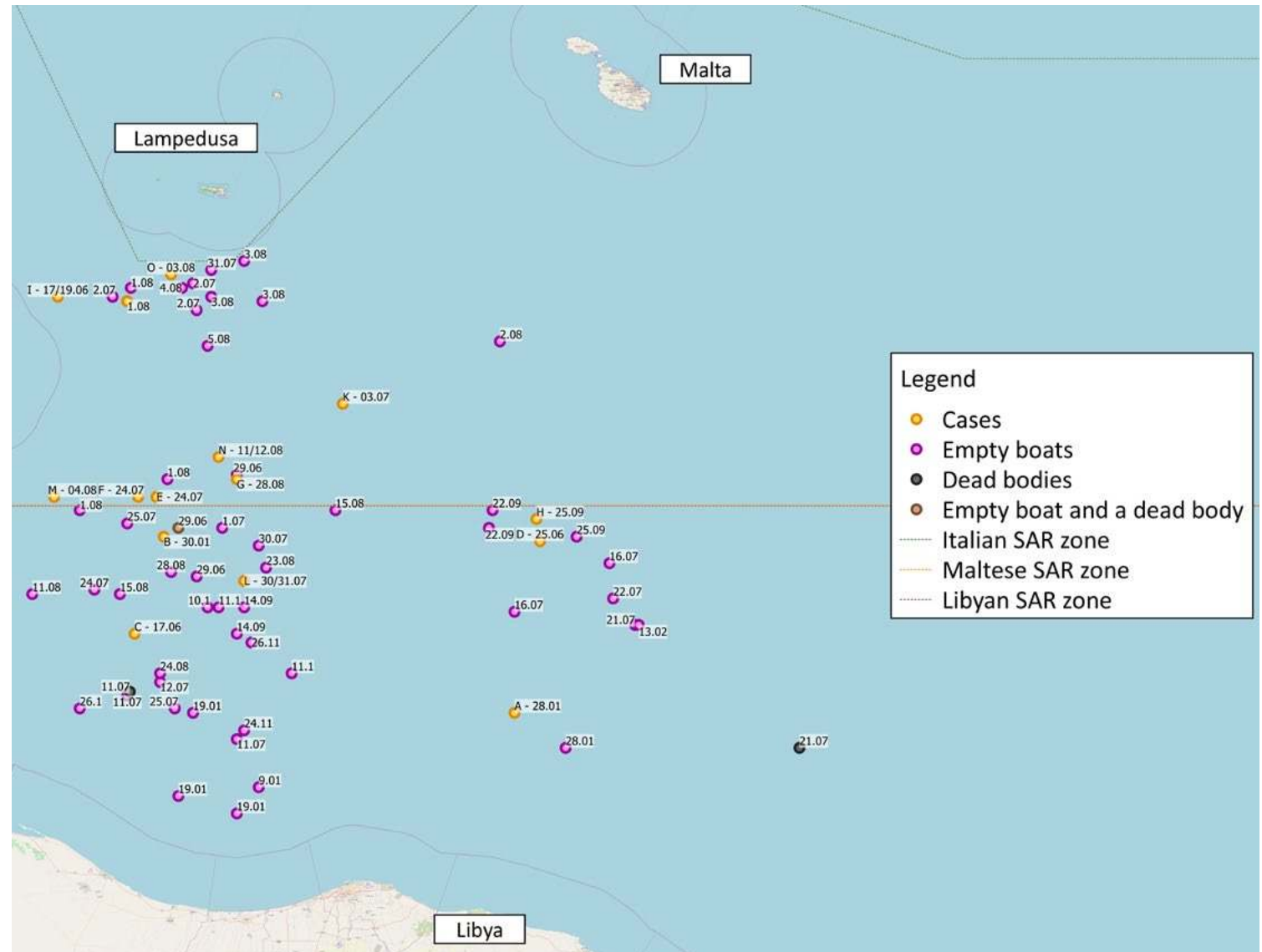
Airborne is a department of *Sea-Watch e.V.* which monitors the Central Mediterranean using the reconnaissance aircraft *Moonbird* and *Seabird*, in order to document human rights violations and spot people in distress. These operations are conducted together with the Swiss NGO *Humanitarian Pilots Initiative (HPI)*.

Airborne in 2020

- **2 reconnaissance aircraft:** *Moonbird* and *Seabird*
- **96 missions**
- a total **flight time of 527 hours and 36 minutes**
(21 days, 23 hours and 36 minutes)
- **82 boats in distress:**
 - 14 were rescued by the Italian authorities
 - 8 were rescued by the Maltese authorities
 - 13 were rescued by NGO vessels
 - 4 were rescued by merchant vessels
 - 12 arrived independently in Lampedusa, Italy
 - 19 were intercepted by the so-called *Libyan Coast Guard*
 - 1 disembarked in Tunisia
 - The outcome of 11 boats remains unknown
- around **4493 persons in distress**

The purpose of this report is to provide an overview of the most frequent situations encountered by *Airborne's* crews during operations. This year, the crews again witnessed the ongoing illegal cooperation between the authorities of European Member States and Libya along with the so-called *Libyan Coast Guard* (2). Instead of applying and respecting the law, *Airborne* witnessed many situations of non-assistance and/or pure delegation of the duty to render assistance to the so-called *Libyan Coast Guard*. It was observed that the people in distress at sea often also become victims of a continuous shifting of responsibilities between the Italian and Maltese authorities (3), as a result of the solidarity crisis among European Member States. Finally, *Airborne's* crews documented the deadly consequences of current European migration policies (4).

Overview of Selected Distress Cases, Empty Boats and Dead Bodies Spotted in 2020



Since spring 2017, we have been operating a civil observation aircraft, a Cirrus SR22 - our **Moonbird** - in cooperation with the *Swiss Humanitarian Pilots Initiative* (HPI). We can cover a maritime area of about 16,000 km² with a crew of 3-4 people during a six-hour mission.

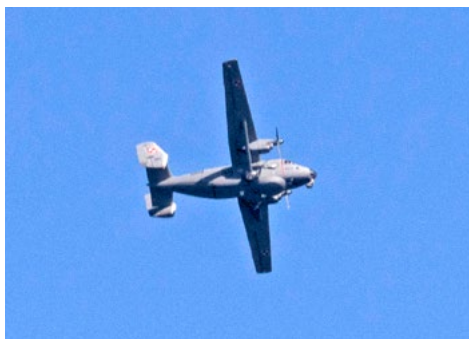


The Illegal Cooperation between the European Union, European Member States and Libya

This illegal cooperation is of a various nature: either there is direct cooperation between European national military vessels or aircraft in directing the so-called *Libyan Coast Guard* to boats in distress cases, or these interceptions are facilitated by the Italian or Maltese authorities, sometimes even in the Maltese Search-and-Rescue (SAR) zone.

On 28.01., in **distress case A**, *Moonbird's* crew spotted the ongoing interception of a boat in distress by a Turkish Navy vessel and the so-called *Libyan Coast Guard*. The people were pulled back to Libya. Turkey must respect the international law it agreed to and on this day violated several human rights conventions, including the European Convention on Human Rights.

Two days later, on 30.01., in **distress case B**, the Polish airplane *Pirate* of the European military operation EUNAVFOR MED was spotted on-scene with people in distress who were eventually intercepted in the Maltese (!) SAR zone by the so-called *Libyan Coast Guard*.



On 30.01., the airplane *Pirate* of the European military operation EUNAVFOR MED - **distress case B**

Again a few months later, in **distress case C**, on 17.06, the so-called *Libyan Coast Guard* intercepted around 70 persons under the supervision of *Frontex* airplane *Eagle1*.



On 17.06., interception of people in distress by the so-called *Libyan Coast Guard* - **distress case C**

On 25.06., in **distress case D**, *Moonbird's* crew found around 70 people in distress in an extremely dangerous situation: in addition to the people on board the boat in distress, some persons were in the water, and a large number of persons were already on board a so-called *Libyan Coast Guard* vessel, presumably from previous interceptions. The so-called *Libyan Coast Guard* engaged in dangerous manoeuvres - navigating between the persons in the water, who were not wearing any life vests and were at a high risk of drowning and the persons in the boat in distress, who were attempting to escape. When *Moonbird* left the scene, the so-called *Libyan Coast Guard* had not yet intercepted the boat in distress. Later we had to learn that the people were pulled back to Libya by the so-called *Libyan Coast Guard*. A survivor of the incident later reached out to the initiative *Watch The Med - Alarm Phone*, speaking of 4 people who fell from the rubber



On 25.06., the so-called *Libyan Coast Guard* engaging in dangerous manoeuvres - **distress case D**

boat when the so-called *Libyan Coast Guard* vessel hit them. The person further stated that only 2 people were recovered from the sea. We must assume that 2 people are missing.

On 14.07., *Moonbird's* crew overheard an aircraft calling several times via radio to the so-called *Libyan Coast Guard* patrol boat *Ras Jadar*, requesting that they “go north, go north, turn 360 [degrees]!”. In another communication, the aircraft requested the so-called *Libyan Coast Guard* to proceed “7 miles” more to the north, “follow follow”, “go go”. Later, the patrol boat asked “Are you with me?” which was confirmed by the aircraft stating “I’ll stay with you, I’ll stay with you, no problem, no problem!”.

On 24.07., in **distress cases E and F**, *Moonbird's* crew spotted 108 and 72 people in distress respectively in 2 different boats, who had called the initiative *Watch The Med - Alarm Phone* which had alerted the authorities. These cases were only 2 nautical miles (nm)¹ away from one another. The oil/chemical tanker *Cosmo*, flying the Italian flag, was instructed by the *Maltese Rescue Coordination Centre* (RCC) to monitor both cases but not rescue the people from the distress situation. After several hours and a situation of severe danger due to a deflated tube and people having to remove water from the boat with their hands, the people on board the first case (E) were rescued by the merchant vessel and disembarked in Italy.



On 24.07., the merchant vessel *Cosmo* and people in distress in the Maltese SAR zone - **distress case F**

However, the people on board the second case (F) were intercepted in the Maltese (!) SAR zone by the so-called *Libyan Coast Guard* and pulled back to Libya. During the interception, the so-called *Libyan Coast Guard* also demanded that the *Cosmo* transfer to them the people that the crew had rescued. This request was refused by the captain of the *Cosmo*.

On 28.08., in **distress case G**, *Moonbird's* crew spotted a boat in distress in the Maltese (!) SAR zone, and then later its interception by the so-called *Libyan Coast Guard*. The Maltese authorities were alerted about the distress case and of its likely interception by *Airborne's* ground crew, but did not take any action to prevent the interception. The people were pulled back to Libya.



On 28.08., interception of people in distress by the so-called *Libyan Coast Guard* in the Maltese SAR zone - **distress case G** • Photo: Hannah Nickel

On 25.09., in **distress case H**, *Seabird's* crew overheard via radio the merchant vessel *Cape Guinea*, flying the flag of the Marshall Islands, sheltering a distress case and informing the so-called *Libyan Coast Guard* that 1 person was in the water. The so-called *Libyan Coast Guard* ordered the vessel to leave the scene as their patrol boat was approaching. Once *Seabird* was also on-scene, the crew spotted the boat in the Libyan SAR zone, with 2 persons and 1 dead body in the water. 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 via 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 *International Organization for Migration* (IOM) that 15 persons died.

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

The Shifting of Responsibilities between the Italian and Maltese Authorities

Even for persons in distress who fall under the clear responsibility of a single European Member State, our *Airborne* crews observe the systematic shifting of responsibilities between the competent authorities, namely the Italian *Maritime Coordination Centre* (MRCC) or the Maltese *Rescue Coordination Centre* (RCC). Non-assistance, delays in rendering assistance and a lack of cooperation with civil society were recurrent behaviours, despite the real and constant danger of losing lives at sea.

The missions carried out in June 2020 unfortunately reveal documented examples of this nature. On 17.06., *Moonbird's* crew spotted 2 cases. In the first case, **distress case i**, the 25 persons were first spotted in the Libyan and then later in the Maltese SAR zone. The Maltese authorities as well as the Italian authorities were informed several times about this case via email but did not send any rescue capacity. *Moonbird's* crew were able to find the people again in the Maltese SAR zone on 19.06. On this day, *Airborne* called the Maltese authorities as the



On 19.06, people adrift in the Maltese SAR zone - **distress case i** • Photo: Felix Weiß

responsible RCC 5 times. On these occasions, the operator either said that the duty officer was busy and refused to provide *Airborne* with any information, or the operator directly hung up. The Italian authorities took information about the case but refused to engage in any rescue operation without being asked by the Maltese RCC to intervene. The Maltese and Italian authorities did not deploy any assets to rescue the persons. We later learned that the people went back to Tunisia. In the second case, **distress case J**, on 17.06., 49 persons were in distress in the Maltese SAR zone. The Maltese authorities repeatedly declared on the phone that they were “busy”, and gave assurances that the RCC Malta would “not leave the case unattended”. *Moonbird* spotted the distress case again in the evening, where *Frontex's* aircraft *Eagle1* was also on-scene. The next morning, 18.06., the Italian MRCC declared that they did not have any further information on the case and refused to provide any information that *Airborne* would have needed to further follow the case. The people arrived independently in Lampedusa early on the morning of 18.06.

In July, *Seabird's* crew again witnessed this shift of responsibilities on 2 occasions. On 03.07., in **distress case K**, the initiative *Watch The Med - Alarm Phone* alerted authorities about a distress case which was spotted in the morning by *Seabird's* crew in the Maltese SAR zone. The livestock carrier *Talia*, flying the Lebanese flag, was the nearest and only ship in the vicinity and changed its course to monitor the distress case. Meanwhile, as the Air Liaison Officer² called the Maltese RCC, they refused to take any information and hung up with the words “we don't speak with NGOs”. In the evening, the Maltese RCC ordered the *Talia* to rescue the people and promised a transshipment of the rescued people onto an *Armed Forces of Malta* vessel - however this promise was not at the time fulfilled. After Malta stopped coordinating the case, the Italian authorities denied the *Talia* entry into Italian territorial waters and instructed the vessel instead to sail to Malta. Later, the Maltese RCC initially refused the vessel entry to Maltese territorial waters, though eventually agreed to allow the merchant vessel to anchor in territorial waters on 04.07., so that it could seek shelter from high waves. Neither the Italian authorities nor the Maltese RCC accepted to de-

² The Air Liaison Officer is a person in the ground crew responsible for exchanging with the authorities and maintaining contact with the aircraft.

clare themselves “competent authorities” for this rescue operation. Several rescued persons showed symptoms of sickness, and one person was even evacuated to Malta, coordinated by the Maltese authorities. After spending 5 days on the merchant vessel in inhumane and degrading conditions, though with the support of civil society and many other actors, the rescued people were finally transferred to a Maltese patrol boat and disembarked in Malta on the evening of 07.07.



On 03.07, the merchant vessel *Talia* and people in distress in the Maltese SAR zone - **distress case K**
Photo: Felix Weiß

At the end of July, in **distress case L**, 17 persons faced more than 83 hours of non-assistance. The people had called the initiative *Watch The Med - Alarm Phone* on the 28.07, which alerted the authorities about their distress. *Moonbird's* crew spotted the people in the Libyan SAR zone on the 30.07., with two merchant vessels on-scene: the *Bassilevousa*, flying the Greek flag, and the *Azeri Gas*, flying the Maltese flag. The Italian MRCC ordered both vessels to stay on-scene but declared that the Libyan authorities were responsible for the coordination of the rescue. *Moonbird's* Air Liaison Officer called the Italian authorities 3 times: the first time the duty officer was busy, the second time the duty officer did not answer the phone and the third time the duty officer

confirmed receiving information on the case but denied any responsibility and referred to the so-called *Libyan Joint Rescue Coordination Centre (JRCC)*. Both merchant vessels later left the scene. On the morning of the 31.07., the Italian MRCC reiterated on the phone that it was not in charge of the distress case and denied to have given any instructions to the merchant vessels. On the same day, *Moonbird's* crew spotted the people again, where some people were in the water. *Moonbird's* crew sent out a mayday relay³, requesting any vessel in the vicinity to immediately assist the persons in distress. When the Air Liaison Officer wanted to give any information, the duty officer of the Italian MRCC only answered that he was busy and hung up. The people were finally rescued on the 31.07. by the merchant vessel *Asso Ventinove*, flying the Italian flag, and disembarked in Italy.

On 04.08., in **distress case M**, the initiative *Watch The Med - Alarm Phone* was called by the people on board a boat in distress and alerted the authorities. *Moonbird's* crew spotted the people in the Maltese SAR zone, with the offshore supply vessel *Maridive 601*, flying the Belizean flag, in the vicinity. The ship however was



On 04.08., the *Maersk Etienne* and people in distress - **distress case M**

unresponsive on the radio. The chemical/oil tanker *Maersk Etienne*, flying the Danish flag, was 11 nm away from the boat and already heading to the position. The *Maersk Etienne* crew secured the boat and provided assistance but did not rescue at first. The persons in distress were successfully rescued by the *Maersk Etienne* in the evening. The vessel set its course towards Malta, as Maltese authorities were aware of this case and had given instructions to the vessel. However, the Maltese authorities refused to let the people disembark in a Maltese harbour for weeks. A merchant vessel is neither equipped, nor is the crew

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.

well enough trained to take care of people on board for such a long time. The people were deprived of their fundamental rights for weeks, and 3 people even jumped overboard out of desperation before being rescued again by the crew. The people were finally transshipped to the NGO vessel *Mare Jonio* on 11.09., after 38 days in stand-off. They were disembarked in Pozzallo, Italy, on 12.09. The *Maersk Etienne* case is the longest stand-off in Search-and-Rescue history.

On 11.08., in **distress case N**, *Moonbird's* crew spotted 25 people in a boat adrift in the Maltese SAR zone. None of these people were wearing life vests. On 12.08., when they were spotted again, some were wearing life vests. The general cargo vessel *PEMBA*, flying the flag of Antigua and Barbuda, was instructed by the Maltese RCC to stay 5 nm away. An *Armed Forces of Malta* patrol boat in the vicinity had at this time launched a rigid inflatable boat (RHIB)⁴ towards the persons in distress. *Moonbird's* crew spotted the people a second time on this day: at this point though the RHIB had left the scene again and the Maltese patrol boat was heading north. In the afternoon, when *Moonbird's* crew spotted the people for a third time, they were all wearing life vests - which were most likely handed out to them by the Maltese authorities - while the RHIB of the *Armed Forces of Malta* was heading to the boat again. An *Italian Coast Guard* aircraft and *Moonbird's* crew witnessed how the *Armed Forces of Malta* tampered with the people's engine instead of rescuing them. The people from the boat were eventually moving towards Lampedusa. They were rescued in the evening by the *Italian Coast Guard* and disembarked in Lampedusa, Italy.



On 12.08. in the morning, a RHIB of the *Armed Forces of Malta* approaching the people in distress, only a few of them wearing life vests - **distress case N** • Photo: Julius Hoheisel



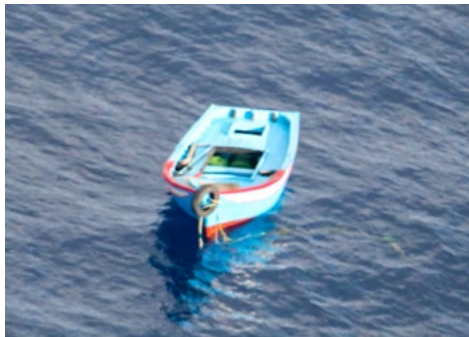
On 12.08. in the afternoon, a RHIB of the *Armed Forces of Malta* tampering with the people's engine, all of the people wearing life vests - **distress case N** • Photo: Julius Hoheisel

⁴ A rigid inflatable boat is a fast, lightweight and stable boat usually used by the military for operations at sea.

Conclusion: The Deadly Consequences of the Migration Policies of the European Union

In 2020, *Airborne* witnessed in every single mission the results of European migration policies in the Mediterranean. According to the UNHCR, in 2020, 11,265 persons were intercepted at sea by the so-called *Libyan Coast Guard* and pulled back to Libya in 113 operations.⁵ The IOM states that while 36,418 persons arrived in Europe through the Central Mediterranean Sea, at least 984 persons died attempting to cross.⁶

Besides persons in distress, *Airborne's* crew also spotted 52 empty boats. Only some of them could be matched with previously known cases. It must be assumed that either the people from these empty boats were intercepted and pulled back to Libya, or are the victims of shipwrecks.



One empty boat spotted on 26.11.

Furthermore, *Moonbird* and *Seabird's* crew spotted 3 bodies. One, near a half-deflated rubber boat, was even documented on 4 occasions before - 29.06., 02.07., 09.07. and 11.07. Both of the other bodies were spotted on 30.06. and 21.07. The authorities were alerted but did not provide any further information. To our knowledge, no actions were taken in order to retrieve these bodies and show them a last sign of dignity. *Airborne* was not able to reconstruct from which case(s) they came.

On 03.08., in **distress case O**, 26 people, who had previously called the initiative *Watch The Med - Alarm Phone*, having alerted the Italian and Maltese authorities, were spotted by *Moonbird's* crew 2 times in the Maltese SAR zone. The people were rescued on the same day by the *Italian Coast Guard* and disembarked in Lampedusa, Italy. Upon disembarkation, 1 rescued person died, while another had convulsions.

Twenty days later, on 23.08., *Moonbird's* crew spotted 2 so-called *Libyan Coast Guard* patrol boats heading towards one another in the Libyan SAR zone. At the time of the first spotting, 1 boat had approximately 5 people on board, lying on top of one another. We assume that they were recovered bodies from a shipwreck. When *Moonbird's* crew spotted these patrol boats again, both boats were heading to Tripoli.

The Mediterranean remains one of the deadliest borders in the world.

As of 2021, and despite criminalisation attempts by the Italian authorities in Italy, *Airborne* remains operative and stands as one of the last civil eyes in the Central Mediterranean Sea - while most civil rescue vessels are blocked in Italian ports.

⁵ UNHCR Libya Recap 2020, available at: <https://data2.unhcr.org/en/documents/details/84024>

⁶ Numbers provided for 2020 by the IOM, available at: https://missingmigrants.iom.int/region/mediterranean?migrant_route%5B%5D=1376

The missions conducted in 2020 and the resulting documentation of human rights violations reveal once again:

- the urgency for the European Member States and the European Union to **immediately stop any cooperation with the Libyan authorities**
- the **systematic non-assistance** of European Member States and the delegation of “rescue operations” to the so-called *Libyan Coast Guard*, even from European SAR zones
- the **unjustified and systematic delays** by European Member States to **take action and save lives at sea** in their SAR zones
- the **participation and facilitation** of the European Border and Coast Guard Agency *Frontex* and the European military Operation *EUNAVFOR MED* in **interceptions and pull-backs** undertaken by the so-called *Libyan Coast Guard*
- the **need for NGO vessels** for as long as there is **no active European SAR program** in the Central Mediterranean in order to **uphold the law and save human lives**

Imprint

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Our **Seabird** is a twin-engine high-performance aircraft (Beechcraft Baron 58) and has room for 5-6 crew onboard. We can cover an area twice as big as the *Moonbird* during our 7.5-hour missions: about 27,000 km² – an area as big as Brandenburg in Germany.