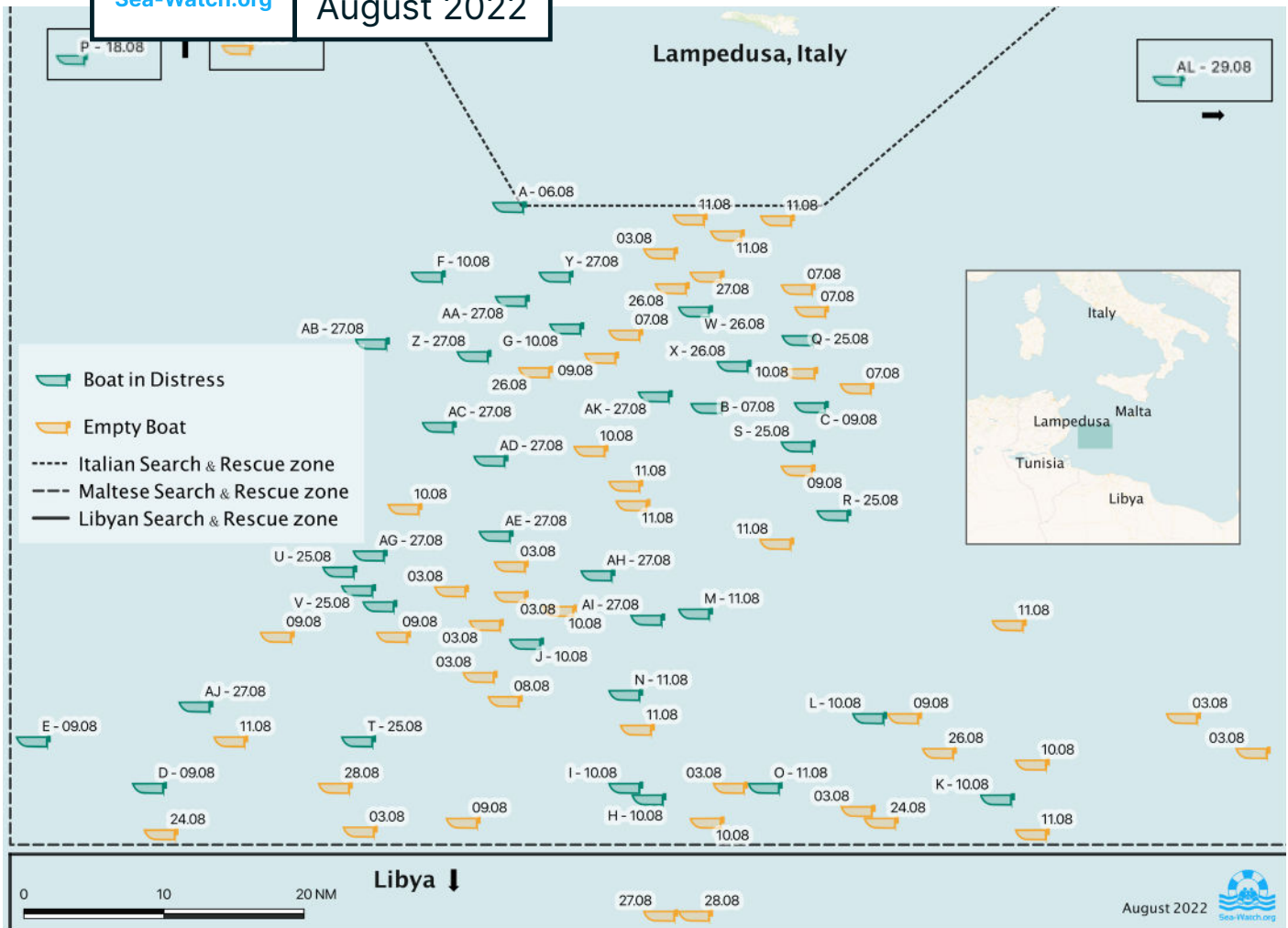




Airborne

Monthly Factsheet

August 2022



This factsheet presents a summary of the distress cases witnessed in August 2022 by Sea-Watch's *Airborne Operations* with the aircraft *Seabird 2*. In August 2022 we flew in the Maltese Search-and-Rescue (SAR) zone only, conducting **14 operations** over a total flight time of **74 hours and 49 minutes**. We spotted **38 boats, carrying around 1,243² persons in distress**.

Unfortunately, due to illegal restrictions put in place by the Libyan Civil Aviation Authority,³ Airborne was not permitted to monitor the Libyan Search-and-Rescue (SAR) zone and the human rights violations which continue to occur there.

- 1 Since 2017, together with the Swiss NGO *Humanitarian Pilots Initiative*, Sea-Watch monitors the Central Mediterranean Sea with its aircraft *Seabird 1* and *Seabird 2*.
- 2 These numbers are based upon the estimations of *Seabird 2*'s crews as well as numbers which the initiatives *Watch The Med - Alarm Phone* and *Mediterranean Hope-FCEI* have provided to us.
- 3 Since the beginning of March, the Libyan authorities illegally deny entry to the Libyan Flight Information Region (FIR) for our airplanes *Seabird 1* and *Seabird 2*. See [Airborne Monthly Factsheet February - March 2022](#) and pic.twitter.com/SOFTjoT50b.

1. Overview of boats in distress and empty boats spotted

Maltese Search-and-Rescue (SAR) zone

- 16 boats in distress, around 597 persons, were rescued by the Italian authorities or arrived independently to Lampedusa, Italy
- 1 boat in distress, around 20 persons, was intercepted by the *Tunisian Coast Guard* and pulled back to Tunisia
- 5 boats in distress, 277 persons, were rescued by the NGO vessel *Ocean Viking*⁴ and disembarked in Taranto, Italy
- 1 boat in distress, 18 persons, was rescued by the NGO vessel *Geo Barents*⁵ and disembarked in Taranto, Italy
- The outcomes for 15 boats, with around 331 persons, remain unknown

4 The NGO vessel *Ocean Viking* is operated by the NGO *SOS MEDITERRANEE*.

5 The NGO vessel *Geo Barents* is operated by the NGO *Médecins Sans Frontières*.

6 The *Astral* is operated by the NGO *Open Arms*.

7 The aircraft *Colibri 2* is operated by the NGO *Pilotes Volontaires*.

8 The sailing vessel *Nadir* is operated by the NGO *RESQSHIP*.

2. Details and outcomes for boats in distress and empty boats

09.08., distress case D, around 10 persons: **Merchant vessel did not assist persons in distress, eventual rescue carried out because of civil support and coordination.** *Seabird 2*'s crew sighted the persons in distress in the Maltese SAR zone. The merchant vessel *Wine Trader* was in the vicinity and heading to the position as communicated with *Seabird 2*'s crew, however the vessel did not render assistance. The responsible shipping company was informed on the phone and via email. In the evening, the NGO vessel *Astral*⁶ located the persons. The persons were then ultimately rescued by the Italian authorities and disembarked in Lampedusa, Italy.

11.08., distress case M, 121 persons: **Successful civil coordination, NGOs filling the gap left by authorities.** On 11.08., the civilian aircraft *Colibri 2*⁷ informed authorities and NGOs about a boat in distress. Shortly afterwards, *Seabird 2*'s crew sighted the persons in the Maltese SAR region. Due to the lack of state rescue assets in the Mediterranean, the NGO vessel *Nadir*⁸ changed course towards the position and was then able to assist the persons two hours after *Seabird 2*'s sighting. The people were finally rescued by the *Italian Coast Guard* in the evening and disembarked in Lampedusa, Italy.

18.08., distress case P, around 20 persons: **Non-assistance by Italian and Maltese authorities, illegal interception by the Tunisian Coast Guard in the Maltese (!) SAR region.** On 17.08., the initiative *Watch The Med – Alarm Phone* was called by persons in distress and informed the authorities. *Seabird 2's* crew spotted the persons in the Maltese SAR region on 18.08. at noon, still without any rescue capacity in sight. The *Tunisian Coast Guard* was spotted in the vicinity, approaching the boat. *Seabird 2's* crew then witnessed **the illegal interception of persons in distress by the Tunisian Coast Guard within the Maltese (!) SAR region.**⁹ The people were subsequently pulled back to Tunisia.

Tunisia cannot be considered as a place of safety for people rescued at sea, as defined by the International Maritime Organization's Resolution MSC. 167(78). Firstly, there exists **no domestic asylum system** in Tunisia – meaning that asylum-seekers are left without legal protection. Persons on the move are arbitrarily detained, since unauthorised entry and stay are criminalized, while the legal framework related to detention remains unclear.¹⁰ Furthermore, Tunisia has previously conducted several **chain-refoulements** to other states, including Libya¹¹ – meaning that there is a risk that persons on the move are brought to other unsafe countries. Finally, people on the move, but also other persons affected by discrimination and criminalization, in particular LGBTQI* persons, can in Tunisia be subjected to **human rights violations.**¹²

On 25.08., our ground crew routinely called the *Libyan Joint Rescue Coordination Centre* (JRCC) in order to ask for open distress cases at sea. The JRCC Tripoli provided 6 positions for distress cases, stating that the patrol boat PB 301 of the so-called *Libyan Coast Guard* had intercepted 5 out of the 6. The sixth boat was rescued by an NGO, according to the officer on the phone.

On 25.08., *Seabird 2* spotted a total of 6 boats in distress. Three of the boats, distress cases R, S and U, concerned approximately 40, 119 and 66 persons. **Rescues were made possible once again through joint and successful efforts by the civil fleet.**

Distress case R first reached out to the Initiative *Watch The Med – Alarm Phone*, which informed authorities as well as civil actors present in the area, so that the civil monitoring aircraft *Colibri 2* was subsequently able to spot the people. At that time, the boat's engine was not running and the persons were in acute distress at sea. The NGO vessel *Ocean*

⁹ Footage is available here: twitter.com/seawatchintl/status/1560914612576550913?s=20&t=oZzvGzSwIzhxRu2BiqFK6Q.

¹⁰ See Global Detention Project, 2020: globaldetentionproject.org/immigration-detention-tunisia-shrouded-in-secrecy; Heinrich Böll Stiftung Brussels, 2020: [tn.boell.org/sites/default/files/2020-09/Places of safety Dig.pdf](https://tn.boell.org/sites/default/files/2020-09/Places%20of%20safety%20Dig.pdf)

¹¹ OHCHR, 2021: [ohchr.org/en/press-releases/2021/11/tunisia-and-libya-un-experts-condemn-collective-expulsion-and-deplorable](https://www.ohchr.org/en/press-releases/2021/11/tunisia-and-libya-un-experts-condemn-collective-expulsion-and-deplorable)

¹² Heinrich Böll Stiftung Brussels, 2020: [tn.boell.org/sites/default/files/2020-09/Places of safety Dig.pdf](https://tn.boell.org/sites/default/files/2020-09/Places%20of%20safety%20Dig.pdf)



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Viking acknowledged the distress call and changed course towards the boat. *Seabird 2* was also able to spot the boat. In the evening, *Ocean Viking* conducted a rescue and took approximately 40 people on board.

Distress case S was first spotted by *Colibri 2* and then by *Seabird 2*. The NGO vessel *Ocean Viking* reached the position of the people in distress approximately 3 hours later and was able to safely embark 119 persons.

Seabird 2 spotted distress case U first in the afternoon of 25.08., informing the authorities and civil actors present in the area. On 26.08., *Seabird 2* sighted the boat again, which was at that time accompanied by two fishing vessels which were asking for help via the emergency radio channel 16. *Seabird 2* sent out 2 mayday relays¹³ on behalf of the people in distress. The NGO sailing vessel *Astral* acknowledged the distress calls and headed towards the position in order to assist the persons. During the afternoon of 26.08., the *Italian Coast Guard* conducted a rescue and disembarked the persons in Lampedusa, Italy.

27.08., distress case AJ, approximately 12 persons: **Non-assistance by a merchant vessel, outcome of the distress case unknown.** *Seabird 2* spotted the boat in distress during the afternoon and informed the authorities. The merchant vessel *Iver Ambassador*, flying the flag of the Marshall Islands, could be successfully reached and changed course towards the boat in distress. Shortly afterwards however, **the vessel stated that it did not consider the boat as in distress, arguing that people are not in the water.** *Seabird 2* then had to leave the scene. The outcome for the boat in distress remains unknown.

29.08., distress case AL, 18 persons: **Merchant vessel chartered by the European Fishery Control Agency (EFCA) leaving a distress case unattended, apparently instructed by Malta, eventual rescue by NGO vessel.** *Seabird 2* spotted an overcrowded boat in distress with children on board and accordingly informed the authorities and civil actors in the area. The NGO vessel *Geo Barents* acknowledged the information and confirmed its arrival on scene several hours later. The merchant vessel *Lundy Sentinel*, flying the Portuguese flag, was in close proximity to the boat in distress. *Seabird 2* at first unsuccessfully attempted to contact the merchant vessel, where the vessel later confirmed that it would change course towards the boat in distress. Shortly afterwards, the *Lundy Sentinel* moved away from the distress case and hence refused to conduct the rescue. Finally, the NGO vessel *Geo Barents* arrived to the scene and took all of the people safely on board.

¹³ A "mayday relay" is an emergency procedure that provides information about a boat in distress via maritime or aerial radio, requesting any asset in the vicinity to assist



In August 2022, with its aircraft *Osprey 2* and *Osprey 3*, we must assume that the European Border and Coast Guard Agency *Frontex* was involved in the narratives for at least 2 boats in distress, concerning around 28 persons, also sighted by *Seabird 2's* crews in the Maltese SAR zone. Both boats were eventually rescued by the Italian authorities and disembarked in Lampedusa, Italy.

In August 2022, the air crews also **overheard communications** over the radio regarding 4 possible boats in distress which were not sighted by *Seabird 2*.

In August 2022, *Seabird 2's* crews also spotted **48 empty boats**. According to their markings, 11 of these empty boats are believed to be the remnants of rescue operations conducted by the Italian authorities.

The outcomes for 37 boats remain unknown.

3. These operations highlight once again:

- the deadly consequences of European migration and border policies
- the systematic non-assistance by European Member States and their delegation of rescue operations to the *Tunisian Coast Guard*, even from the Maltese SAR zone
- the unjustified and systematic delays by European Member States in fulfilling their obligations to conduct and coordinate sea rescue in their Search-and-Rescue zones
- the continuous involvement and recurring non-assistance of merchant vessels regarding boats in distress at sea due to the failed migration policies in Europe
- the need for NGO vessels in the central Mediterranean sea in order to uphold the law and save human lives