

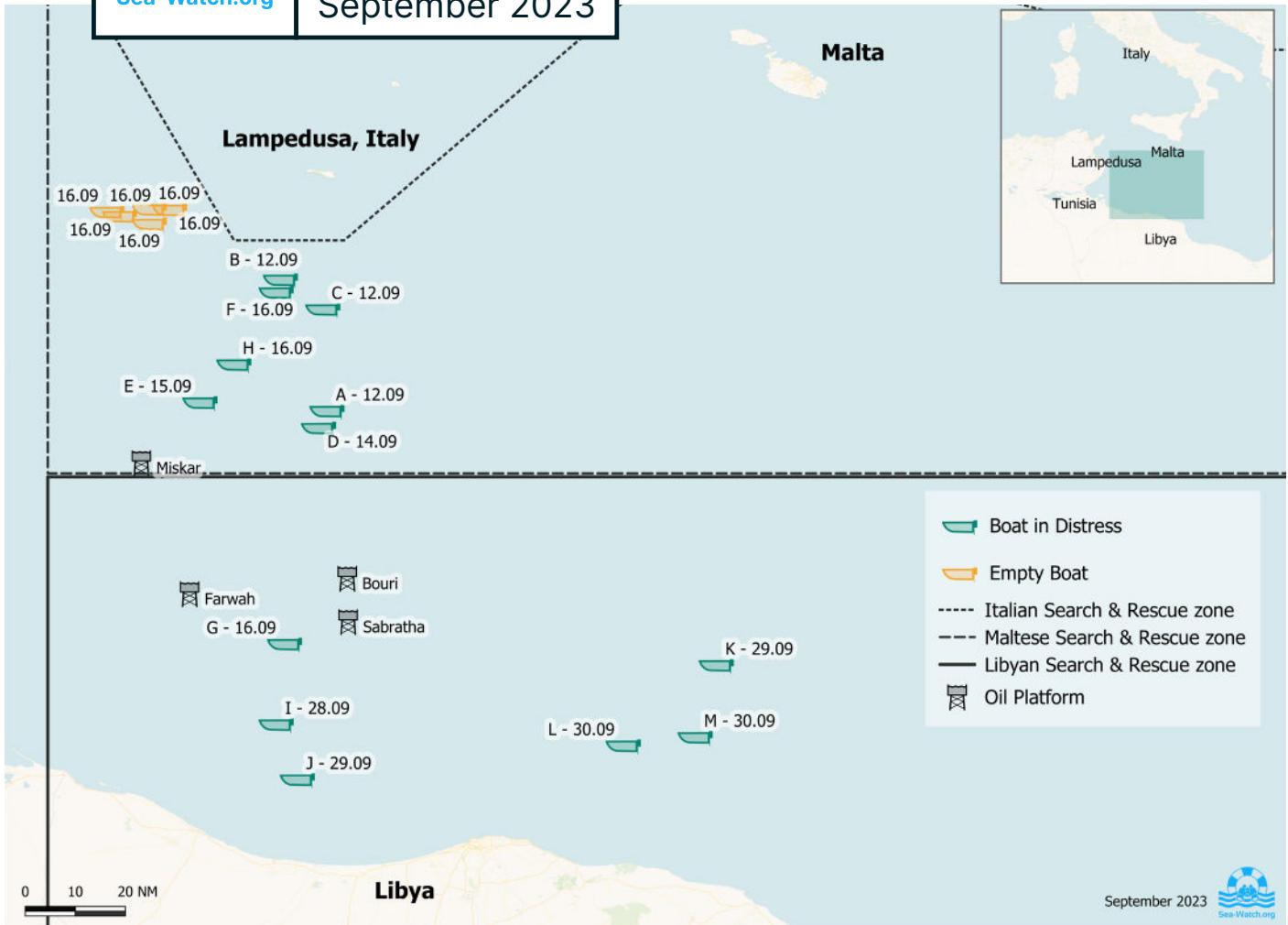


Airborne

Monthly Factsheet

September 2023

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This factsheet presents a summary of the distress cases witnessed in September 2023 by Sea-Watch's *Airborne Operations* with the aircraft *Seabird 2*.¹

In September 2023, we conducted **10 operations** over a total flight time of **61 hours and 02 minutes**. We spotted **13 boats, carrying over 793 persons² in distress at sea**.

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*, SAR NGOs and *Mediterranean Hope-FCEI* have provided to us.

1. Overview of boats in distress and empty boats spotted

Libyan Search and Rescue (SAR) zone

- 61 persons, aboard 1 boat in distress, were rescued by the NGO vessel *Geo Barents*³ and disembarked in Italy
- 107 persons, aboard 1 boat in distress, were rescued by the NGO vessel *Open Arms*⁴ and disembarked in Italy
- Around 210 persons, aboard 3 boats in distress, were intercepted by the so-called *Libyan Coast Guard* and pulled back to Libya
- The outcome for 40 persons in distress, aboard 1 boat in distress, is unknown

Maltese Search and Rescue (SAR) zone

- 70 persons, aboard 1 boat in distress, were rescued by the Italian authorities and disembarked in Italy
- The outcomes for around 305 persons in distress, aboard 6 boats in distress, are unknown

In September 2023, we must assume that the European Border and Coast Guard Agency *Frontex* was involved in the narrative for around 70 persons, aboard 1 boat in distress sighted by *Seabird 2's* crew which was eventually rescued by the Italian authorities.

In September, *Seabird 2's* crews sighted 5 empty boats, the outcomes for which are unknown.

2. Details and outcomes regarding selected boats in distress and empty boats

29.09., distress case J, around 50 persons: **The so-called *Libyan Coast Guard* conducted a dangerous interception.**

Seabird 2's crew sighted around 50 persons in distress in the Libyan SAR zone. The so-called *Libyan Coast Guard* patrol boat *Fezzan* was in the direct vicinity and could be observed launching a RHIB.⁵ *Seabird 2's* crew then witnessed this RHIB driving into the boat in distress, despite calls from the aircrew to stop this dangerous behaviour. The boat in distress eventually deflated, leaving all of the people in the water.⁶ Given the

³ The *Geo Barents* is operated by the NGO *Médecins Sans Frontières*.

⁴ The *Open Arms* is operated by the NGO *Open Arms*.

⁵ A RHIB is a rigid hulled inflatable boat - a fast, lightweight and stable boat usually used by the military for operations at sea.

⁶ Footage of the dangerous behaviour is available at: x.com/seawatch_intl/status/1707803433145680293

severity of the situation, *Seabird 2's* crew sent out several mayday relays.⁷ At one point, an unidentified source asked whether the so-called *Libyan Coast Guard* were on-scene. When *Seabird 2's* aircrew confirmed this, the unidentified source replied that there was then “no need for assistance” – an untruth since there was still a potential risk for persons or bodies to be in the water. This source then did not identify itself or respond any further to *Seabird 2's* crew. The *Fezzan* intercepted all persons in distress and pulled them back to Libya. With *Seabird 2's* crew, the NGO vessel *Louise Michel* looked for potential bodies but could not find any.

7 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.

8 See the ECCHR's communication to the International Criminal Court: ecchr.eu/en/case/interceptions-of-migrants-and-refugees-at-sea/

9 The document is available at: statewatch.org/media/documents/news/2020/jun/malta-libya-mou-immigration.pdf

The so-called *Libyan Coast Guard* are financed, trained and equipped by the European Union and European member states: with such cooperation, European actors co-perpetrate crimes against humanity.⁸ We demand that the authorities of European member states and the European Union cease their cooperation with Libyan authorities – instead, they must actively engage in Search-and-Rescue operations, in compliance with the law.

29.09., distress case K, around 40 persons: **An aircraft of Armed Forces of Malta is on the scene of an interception by the so-called Libyan Coast Guard and behaves dangerously towards our aircraft.**

Seabird 2's crew sighted around 40 persons in distress in the Libyan SAR zone. The so-called *Libyan Coast Guard* vessel *Ubari* was in the vicinity and was observed heading towards the position of the persons in distress. As the *Ubari* started its interception, *Seabird 2's* aircrew observed the *Armed Forces of Malta* aircraft *Mission19* also on-scene. The aircraft did not clarify its position, despite several calls by *Seabird 2's* crew over the radio to do so, leading to a very dangerous situation between the aircraft: according to the aircrew, the *Armed Forces of Malta* very closely crossed *Seabird 2's* altitude.

The Maltese authorities have a Memorandum of Understanding with Libya.⁹ We demand that Malta stop their cooperation with Libya and instead comply with their duties: to search for and assist persons in distress at sea and ensure their disembarkation in a place of safety -

which can only be Europe according to international law. The Maltese authorities furthermore must cooperate with all actors in order to ensure safety at sea.

30.09, distress case M, around 120 persons: **An interception operated by an unidentified Libyan naval asset as well as a new asset provided to Libyan actors by the European Union.**

Seabird 2's crew sighted around 120 persons in the Libyan SAR zone. Two unknown, likely Libyan RHIBs were boarding the boat in distress, until the so-called *Libyan Coast Guard* patrol boat *Ghat* eventually arrived, intercepting and pulling the people back to Libya. The NGO vessel *Open Arms* was operational on that day and could have rescued and disembarked the persons in a place of safety.

This patrol boat was recently given to Libyan actors within the framework of the Emergency Trust Fund for Africa.¹⁰ The European Union and European member states must stop their policy of death at sea. Instead of illegally outsourcing European states' duties to the so-called *Libyan Coast Guard*, authorities of European member states must comply with the law and engage in search and rescue operations.

¹⁰ See: neighbourhood-enlargement.ec.europa.eu/news/commissioner-oliver-varhelyi-at-tends-handover-ceremony-eu-financed-search-and-rescue-vessels-libya-2023-02-06_en