



Annual review 2022

Non-governmental Search and Rescue in the Mediterranean Sea

1) Summary

Another year has passed without any improvement in the humanitarian plight of people fleeing across the Mediterranean. In 2022, the number of people who drowned in the central Mediterranean since 2014 has exceeded 20,000. The central Mediterranean is the deadliest maritime refugee route in the world, with at least 1,377 deaths and missing persons in 2022. Although human rights violations in Libya and on the Mediterranean are witnessed and documented thousands of times, the EU continues to cooperate with and fund shady Libyan actors. More than 22,500 refugees were intercepted and returned to Libya in 2022.

In line with the European policy of closure, non-governmental search and rescue is obstructed and criminalised. The rescue ships Ocean Viking and Sea-Watch 3 were detained, the latter despite a previous ruling by the European Court of Justice prohibiting arbitrary detentions of non-governmental vessels. With the election of the new right-wing Italian government at the end of October, the humanitarian situation for people fleeing across the Mediterranean and the conditions for non-governmental search and rescue continue to worsen.

But there are also positive things to report. The non-governmental search and rescue fleet is growing: SOS Humanity, formerly SOS Mediterranee Germany, has been operating its own ship – the Humanity 1 - independently since the end of August. Humanity 1 rescued a total of 855 people from distress at sea in three missions from September to December (see chronology). A decree of the new Italian government, imposed at the beginning of November against the ships Humanity 1 and Geo Barents, ultimately remains without consequences; SOS Humanity defends itself legally and through the media.

Towards the end of the year, the right-wing Italian government announces further administrative hurdles for non-governmental search and rescue in 2023. Rescue at sea is a duty, anchored in international law. A European coordinated search and rescue programme is still not in sight. The humanitarian crisis in the Mediterranean remains a political crisis.

2) Important figures: Overview

2.1.) Figures of SOS Humanity

	Rescues and transfers ¹	Survivors	Minors among them
Humanity 1 (seit 19.08.22)	11	855	386
Ocean Viking (2019-2021)	63	5.108	1.629
Aquarius (2016-2019)	239	29.523	6.502
Insgesamt	313	35.486	8.517

¹ Transfer stands for „Transshipment“ und means that a transfer of rescued people takes place between two vessels (for example, because one vessel is better equipped for certain medical conditions among the survivors). In this case it means that our vessel is taking on board rescued people from another vessel.



2.2.) Official figures for the Central Mediterranean (IOM, 20.12.2022)

Central Mediterranean	Arrivals in Europe	Deaths	Pull-backs ³
2022	98.415 ²	1.364 ³	22.544 ⁴
2021	67.477	1.567	32.425
2020	36.418	999	11.891
2019	14.876	1.262	9.225
2018	24.815	1.314	15.428

3) Chronology of (political) events und developments

January

- [SOS Mediterranee Germany becomes SOS Humanity](#)
The non-governmental search and rescue organisation splits from the European SOS Mediterranee association to be able to rescue more people as SOS Humanity with its own ship. In addition, SOS Humanity wants to better inform the public about the emergency situation in the Mediterranean and exert more influence on German and European politics.
- [Internal report on Libyan Coast Guard violence leaked](#)
The [internal report of EUNAVFOR MED IRINI](#) published on 4 January reveals that the EU is aware of the violent treatment of migrants by the Libyan coast guard.
- [Rescue ship Ocean Viking is detained](#)
On 11 January, the Ocean Viking is [detained in the port of Trapani](#), Sicily, following a Port State Control (PSC).

February

- [Mare Liberum forced to permanently suspend operations](#)
Due to [ongoing legal repression](#), the ship Mare Liberum of the German NGO of the same name is [permanently suspending its monitoring missions](#) to document human rights violations in the Eastern Mediterranean.
- [Five years of the "Malta Declaration"](#)
Despite massive criticism of human rights violations in Libya, the EU continues to support, train and fund the so-called Libyan coast guard.

² 18.12.2022, [UNHCR Italien](#)

³ 15.12.2022, [IOM](#)

⁴ Pull-backs by the so-called Libyan Coast Guard, 10.12.2022, [IOM Libya](#)



- Italy supplies surveillance technology to Libya
According to investigative research by the Italian magazine *Altreconomia* (February 2022), Italy is supplying surveillance technology and three new speedboats to Libya.
- Deadly shipwreck off Libyan coast
On 27 February, a boat capsizes off the Libyan coast. Around [50 people drown](#).

March

- Reports of the UN Fact-Finding Mission on Libya (FFM)
On 28 March, the [second report](#) of the UN Fact-Finding Mission on Libya (FFM) is published. It again shows that refugees and migrants in Libya are subjected to widespread human rights violations such as torture and sexual abuse.
- Mass graves in the Libyan desert town of Bani Walid
The United Nations is investigating [reports of mass graves](#) in the desert town of Bani Walid, where migrants are said to be buried.

April

- Shipwreck with almost 100 dead
According to the UNHCR, [almost 100 people drown in the central Mediterranean Sea](#) when their heavily overcrowded boat capsizes.
- New hearing in the trial against Salvini
A new hearing in the Open Arms trial is taking place in Palermo. In the trial, [former Italian Interior Minister Matteo Salvini is accused of deprivation of liberty and abuse of office](#). In August 2019, he refused to allow the ship of the NGO Open Arms with 147 people on board to enter an Italian port for 19 days.
- Resignation of Fabrice Leggeril, Director of the EU border management agency Frontex
The director of the EU border management agency Frontex, Fabrice Leggeri has resigned. Frontex faces accusations of being involved in push-backs at Europe's external borders.

May

- EU Operation Irini: German armed forces' mission to be continued
The German parliament decides to continue the deployment of the German Armed Forces in the framework of the EU mission EUNAVFOR MED Irini until 30 April 2023. [SOS Humanity criticises that the EU's support](#) of the so-called Libyan coast guard is a continuing violation of international law.
- Sea-Watch takes Frontex to court
With the support of the non-profit platform FragDenStaat, [Sea-Watch is taking the border protection agency Frontex to the European Court of Justice](#) for the release of information on a pull-back witnessed by Sea-Watch in July 2021.



- [Libyan Coast Guard threatens rescue ship Sea-Eye 4](#)
The crew of the non-governmental search and rescue ship Sea-Eye 4 reports that the so-called Libyan coast guard is demanding that they leave "Libyan territory", [firing warning shots and threatening violence](#), even though they were in international waters.
- [Criminal proceedings against members of the Iuventa crew open](#)
After almost five years of criminal investigations, the preliminary proceedings against members of the crew of the non-governmental search and rescue ship Iuventa begin on 21 May. Some of them face up to 20 years in prison. The defendants are accused of aiding and abetting the illegal entry of migrants.

June

- [UN Fact Finding Mission Libya and UN Special Rapporteur publish reports](#)
The UN Fact Finding Mission Libya [publishes another report on 27 June](#). It states that the risk of dying on the crossing of the Central Mediterranean Sea has increased significantly due to the lack of adequate governmental search and rescue capacities. The [report of the UN Special Rapporteur](#) further points out that Frontex supports the illegal repatriations of the so-called Libyan coast guard through surveillance and hinders the work of non-governmental search and rescue organisations.
- [European states adopt a "voluntary solidarity mechanism"](#).
On 22 June, the so-called "[voluntary solidarity mechanism](#)" is adopted by 18 EU member states and three other states at the EU interior ministers' meeting. With this mechanism, people rescued from distress at sea are to be resettled from the EU's external borders to other European member states. Critics complain that there is still no transparent and reliable distribution system. The distribution mechanism is only limited to one year and is not legally binding.

July

- [SOS Humanity has its own ship](#)
The former Sea-Watch 4 is handed over to SOS Humanity and converted into Humanity 1, repainted and prepared for winter operations, 1 in dry dock in Spain.

August

- [ECJ ruling: No arbitrary detentions of non-governmental rescue ships](#)
After Sea-Watch filed a lawsuit against the arbitrary blockade of non-governmental search and rescue ships by Italian authorities in connection with the detentions of their ships Sea-Watch 3 and Sea-Watch 4, the [European Court of Justice \(ECJ\) ruled on 1 August](#) that port state controls are only legitimate with valid reasons and within designated time limits. Arbitrary, politically motivated determinations are unlawful.
- [Human Rights Watch reports reveal drone use by Frontex](#)



According to reports by Human Rights Watch, [the EU border agency Frontex has been using a drone from Malta](#) since May 2021 to relay information to the so-called Libyan coast guard. Human Rights Watch and Border Forensics were able to determine from the drone's flight pattern that it was linked to illegal returns to Libya.

- Start of a new petition by SOS Humanity
With this [petition](#), SOS Humanity is calling on the German government to implement the coalition's promises on search and rescue. European rescue coordination centres must always and without exception answer distress calls at sea, forward information on maritime emergencies and coordinate rescues. In addition, a place of safety on land must be allocated promptly for those rescued. The German government must initiate a coordinated European rescue programme.
- Launch of the Humanity 1
The new rescue ship Humanity 1 of the non-governmental search and rescue organisation SOS Humanity, which was christened on 19 August in Vinaròs, Spain, begins its first search and rescue operation on 27 August.

September

- Detention of the Sea-Watch 3
On 21 September, the [Sea-Watch 3 is subjected to port state control and subsequently detained](#), despite the new ECJ ruling, on the flimsy grounds that a large number of rescued people are "a danger to persons, property or the environment".
- Humanity 1 rescues 414 people
Between 6 and 13 September, the crew of [Humanity 1 rescues 415 people in four rescues](#). Among those rescued are 40 women, 192 children and young people under 18, including 113 unaccompanied minors. After 12 days of waiting, food already in short supply, the Humanity 1 is assigned to Taranto, Italy, for disembarkation. There, on 22 September, all the rescued go ashore.

October

- SOS Humanity publishes first mission report ([Rescue Report No. 1](#))
At the beginning of 2022, SOS Humanity set itself the goal of better informing the public about the abuses in the Mediterranean and bearing witness to them. The "Rescue Reports" published after each mission cycle are intended to contribute to this.
- Report from the UN Commissioner for Human Rights (OHCHR)
A [new report by OHCHR](#), to be published on 11 October 2022, describes that the voluntary return of migrants from Libya to their country of origin is not in line with human rights
- Human rights violations by Frontex published
The [leaked report on possible human rights violations by Frontex](#), finalised by the EU's anti-fraud agency OLAF in February 2022, is now publicly available. It proves that Frontex systematically tried to cover up human rights violations in the Aegean.



- Humanity 1 rescues 180 people
Between 22 and 24 October, the crew of [Humanity 1 rescued 180 people](#) from overcrowded, unseaworthy boats in three rescues.
- Renewed threat to Sea-Watch aircraft by so-called Libyan coast guard
The non-governmental search and rescue organisation [Sea-Watch reports](#) that the so-called Libyan Coast Guard is threatening the civil reconnaissance aircraft Seabird with live ammunition in the Maltese search and rescue zone.

November

- Extension of the Memorandum of Understanding (MoU)
An intergovernmental [Memorandum of Understanding \(MoU\) has existed between Libya and Italy](#) since 2017, which was automatically renewed on 2 November 2022. The MoU regulates the support of the so-called Libyan Coast Guard with equipment and financial resources. It serves as a basis for Italy and the European Union to prevent people from fleeing to the EU. [People in several countries are protesting](#) against the extension of the MoU.
- Decree against non-governmental search and rescue organisations ([Press release 5 December](#))
The Italian government is imposing an illegal decree against the rescue ships Humanity 1 and Geo Barents. The decree forbids the ships to stay longer in Italian territorial waters than is "necessary for rescue and relief operations for people in distress and in precarious health conditions". As a result, 35 of the 179 rescued people on board the Humanity 1 are classified as "healthy" in an unprecedented, illegal and inhumane selection procedure and are not allowed ashore. SOS Humanity takes legal action against the Italian government's decree (as does Médecins Sans Frontières) and informs the Italian and international media. After three days, the people can finally disembark.
- Ocean Viking sails for France - dispute between Italy and France
After the Italian government refuses to allow the non-governmental search and rescue ship Ocean Viking to dock, the crew asks rescue coordination centres in other European Mediterranean countries for a place of safety. The 234 people on board the rescue ship are finally able to go ashore in Toulon, France. However, France officially refuses entry to more than half of the refugees. The event [sparks a dispute between Italy and France](#) over the reception of refugees.
- Report of the UN Commissioner for Human Rights
The [report of the UN Commissioner for Human Rights](#) published on 2 November shows that the organised return of many refugees and migrants through the UN in Libya cannot be considered voluntary. Due to the unbearable conditions in Libya, people are often forced to agree to return home, even if they are not safe there.



- EU Action Plan on the Central Mediterranean Escape Route is presented
The [action plan for the Central Mediterranean](#), presented by the EU Commission on 25 November at an extraordinary meeting of the EU interior ministers, contains 20 measures. Among other things, cooperation with third countries such as Libya and international organisations is to be further expanded.
- For the first time, state funding for non-governmental search and rescue in the Mediterranean Sea
According to a resolution of the Bundestag's budget committee, the [civil alliance United4Rescue might receive two million euros](#) from the state treasury for the first time in 2023. Two million euros are also earmarked for each of the years 2024 to 2026.

December

- Humanity 1 rescues 261 people and witnesses illegal pull-back
Between 4 and 6 December, the [crew of Humanity 1 rescues 261 people](#) in three rescues and witnesses a brutal, illegal pull-back by the so-called Libyan Coast Guard during the last rescue mission.
- The Humanity 1 arrives in Burriana, Spain
The rescue ship will remain in the shipyard from mid-January to mid-March 2023 for improvements and overhauls.
- Criminal complaint before International Criminal Court for crimes in Libya
ECCHR, with the support of Sea-Watch, files criminal charges at the International Criminal Court against European and Libyan individuals accused of [responsibility for crimes against humanity in Libya](#), including senior political officials within the EU.
- New decree of the Italian government to restrict search and rescue activities
According to [media reports](#), the Italian government wants to issue a legally binding decree on non-governmental search and rescue activities that will further hinder the work of search and rescue organisations.