



Rescue Report No. 3

Humanity 1 at Sea

Rescue Rotation No. 3: 24.11.22 – 11.12.22





On 6 December the crew of Humanity 1 rescues 103 people from an overcrowded rubber boat. Photo: Nicole Thyssen/SOS Humanity

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The so-called Libyan Coast Guard told the people to come on their boat, but they refused. A first man jumped in the water; he knew he would end up in prison and that it could lead to his death. It is better to die in the sea than in Libyan prisons. You cannot describe Libya. They sell people like they would sell bread.

Darius*, Cameroon, 30 years old
*Name has been changed.

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Introduction

Between 4-6 December the crew of Humanity 1 rescued 261 people in three rescue operations and one transfer in international waters off the Libyan coast.

Instead of ensuring that the survivors were disembarked and cared for onshore as quickly as possible, the Italian government assigned the distant port of Bari as a place of safety. Despite safety concerns due to adverse weather conditions, a closer Italian port was refused. This policy of assigning distant ports constitutes a new attempt to harass survivors and NGOs and contradicts the fundamental principles of the law of the sea.

While the rescue ships Humanity 1 and Louise Michel worked together to fulfil the duty of rescue, as enshrined in international law, the EU-backed so-called Libyan Coast Guard intervened and illegally forced approximately 50 people back to Libya on 6 December. Six survivors were left behind in the water, separated from family members and friends on the boat, and taken on board Humanity 1.

Libya is not a place of safety. Intercepting people at sea and forcing them back to the country from which they fled violates international maritime and human rights law.

Humanity 1

 **Disembarkation 11.12.2022, Bari**



6 Days between 1st Operation and Disembarkation



3 Rescue Operations

05./06.12.2022 – 49 survivors
06.12.2022 – 103 survivors
06.12.2022 – 6 survivors



1 Transfer

04./05.12.22:

Louise Michel to Humanity 1 –
103 survivors



Interception Witnessed

06.12.22:

Approximately 50 people
intercepted by so-called
Libyan Coast Guard



5 Requests for a Place of Safety



Assignment of a Place of Safety

09.12.22:

03:54 pm by Italian
MRCC

261 Survivors



Nationalities

Beninese, Burkinabe,
Cameroonian, Central African,
Chadian, Egyptian, Ethiopian,
Gambian, Ghanaian, Guinean,
Ivorian, Liberian, Malian, Nigerian,
Nigerien, Senegalese, Sierra
Leonean, South Sudanese,
Sudanese, Syrian, Togolese,
Tunisian



89 Minors

3 babies (<12 months)
20 children (<13 years old)
63 unaccompanied minors



28 Women

2 pregnant women



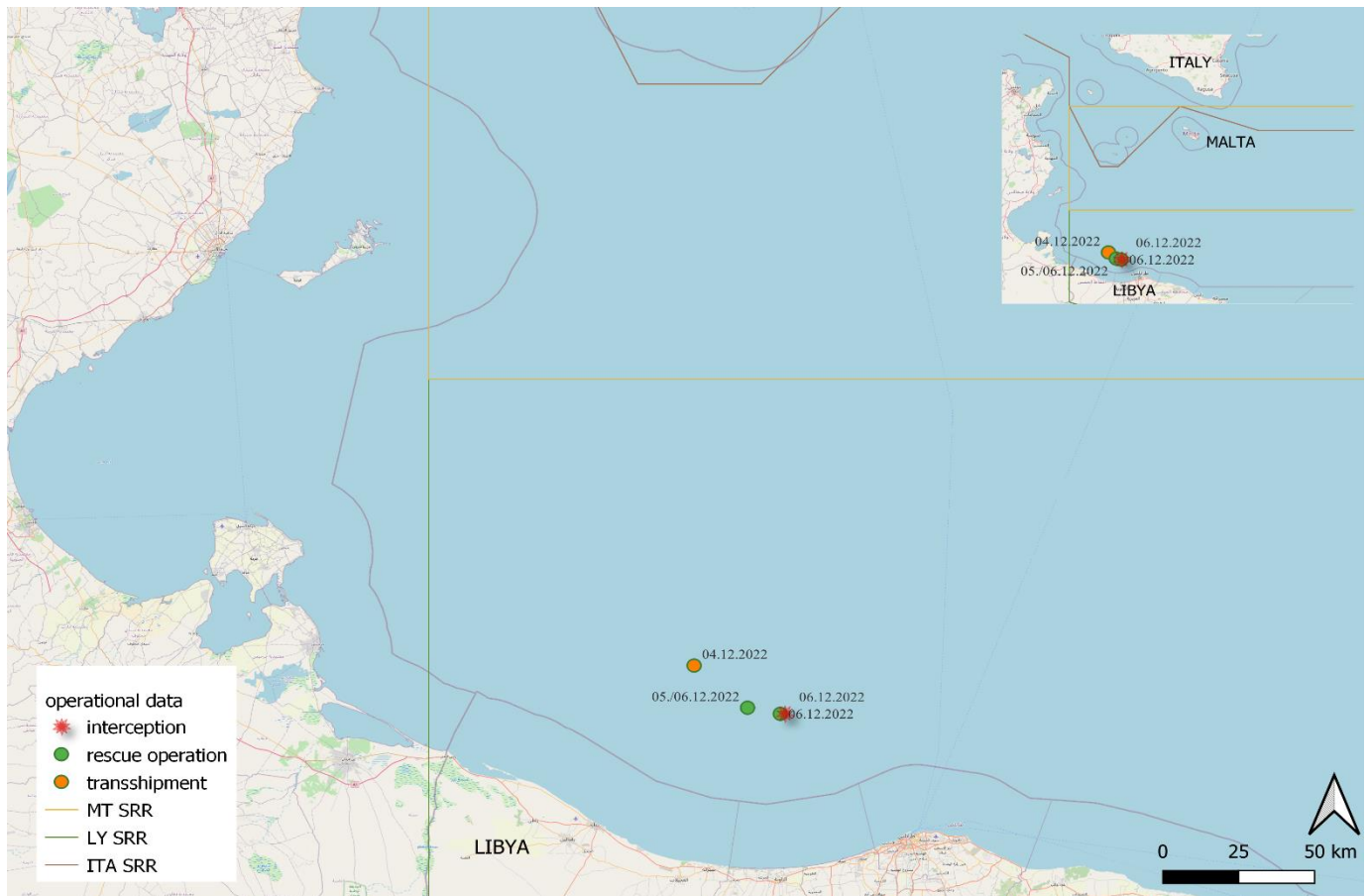
144 Men



Medical Situation on Board

Signs and reports of torture and
sexual violence, STIs resulting
from sexual abuse, psychological
trauma, acute stress disorder,
insomnia, eating disorders,
fatigue, fuel burns, hypothermia,
dehydration, seasickness,
respiratory infections, flu, skin
diseases, migraines

Search and Rescue Operations



Search and rescue operations and interception witnessed by Humanity 1

Chronology

4 - 5 December Transfer:

At 14:23 Central European Time (CET) on 4 December, the crew of Humanity 1 receives a distress alert from the non-governmental rescue ship Louise Michel. Its crew has already provided life jackets to 103 people on board an unseaworthy rubber boat in distress. Due to the imminent danger that the boat could sink, the crew of Louise Michel takes all 103 persons on board their ship before Humanity 1 arrives on scene. Since Louise Michel is not equipped to accommodate the 103 survivors in a sheltered place and to guarantee their urgently required medical treatment, the captains of Louise Michel and Humanity 1 inform the relevant rescue coordination centres about the necessity of transferring the survivors to Humanity 1, as a better equipped vessel. After over two hours of trying to contact the respective authorities and no further response, Humanity 1 starts the necessary transfer shortly before midnight and takes all 103 survivors from Louise Michel on board.

During the rescue and transfer operation by Humanity 1 and Louise Michel, the Libyan Stabilisation Support Authority (SSA) militia arrives on scene and endangers the operation. Despite always

remaining in international waters, a man shouts via very high frequency radio (VHF) on the distress frequency: "Go back, this is Libya water [sic]!" Shortly afterwards, the crew of Humanity 1 is threatened by one of the persons on the Libyan boat who pulls out a machine gun.

5 - 6 December Rescue operation 1:

Late in the evening of 5 December, Humanity 1 receives a distress alert from the non-governmental hotline Alarm Phone, reporting that approximately 50 people are in distress in international waters off the Libyan coast. Both Humanity 1 and Louise Michel proceed to the distress case. The crew of Louise Michel is first on scene and distributes life jackets to the survivors. Since there is no coordination by state authorities, Humanity 1 takes over on-scene coordination of the rescue operation.

Shortly after midnight on 6 December, the crew of Humanity 1 confirms imminent danger as the heavily overcrowded wooden boat is at high risk of capsizing and already taking on water. The crew begins rescuing those on board. This time, a military vessel flying a Libyan flag arrives on scene and stays during the entire

rescue operation. By 01:35 Central European Time (CET), all 49 survivors are safely on board Humanity 1.

6 December

Rescue operations 2 and 3:

In the morning of 6 December, Humanity 1 spots an overcrowded rubber boat. Louise Michel arrives on scene before Humanity 1 and informs the crew that the rubber boat is in a poor condition with people sitting on sponsons without life-saving equipment. The crew of Humanity 1 starts to rescue them and brings all 103 survivors safely onboard Humanity 1 at 09:02 CET.

6 December

Pull-back by the so-called Libyan Coast Guard:

While conducting the rescue of the rubber boat described above, the crew of Humanity 1 spots another potential boat in distress about two nautical miles away and informs Louise Michel. At the same time, the so-called Libyan Coast Guard and Libyan SSA militia approach the scene.

While they finalise the rescue of the boat previously spotted, the crew of Humanity 1 witnesses the so-called Libyan Coast Guard trying to intercept the second boat in distress. The so-called Libyan Coast Guard informs Humanity 1 via VHF they are allegedly “rescuing” the people, instructing Humanity 1 not to interfere. In response, the captain of Humanity 1 informs them that, as on-scene coordinator, it is Humanity 1’s responsibility to coordinate and rescue. He requests the Libyan-flagged vessels to stop the interception of the people in distress immediately.

After the crew has embarked all the 103 survivors from the first boat in distress, Humanity 1 proceeds to the ongoing interception. Louise Michel is already on-site and informs Humanity 1 that the so-called Libyan Coast Guard left with an unknown number of persons on board. They also left six people behind in the water, whom the crew of Louise Michel was able to recover via their life raft. By 10:20 CET, all six survivors, suffering severely from hypothermia, are safely onboard Humanity 1.

Furthermore, Humanity 1 tries to contact the so-called Libyan Coast Guard via VHF, requesting a handover of the persons taken onboard to avoid an illegal pull-back and the separation of family members. However, the calls remain unanswered.

11 December

Disembarkation:

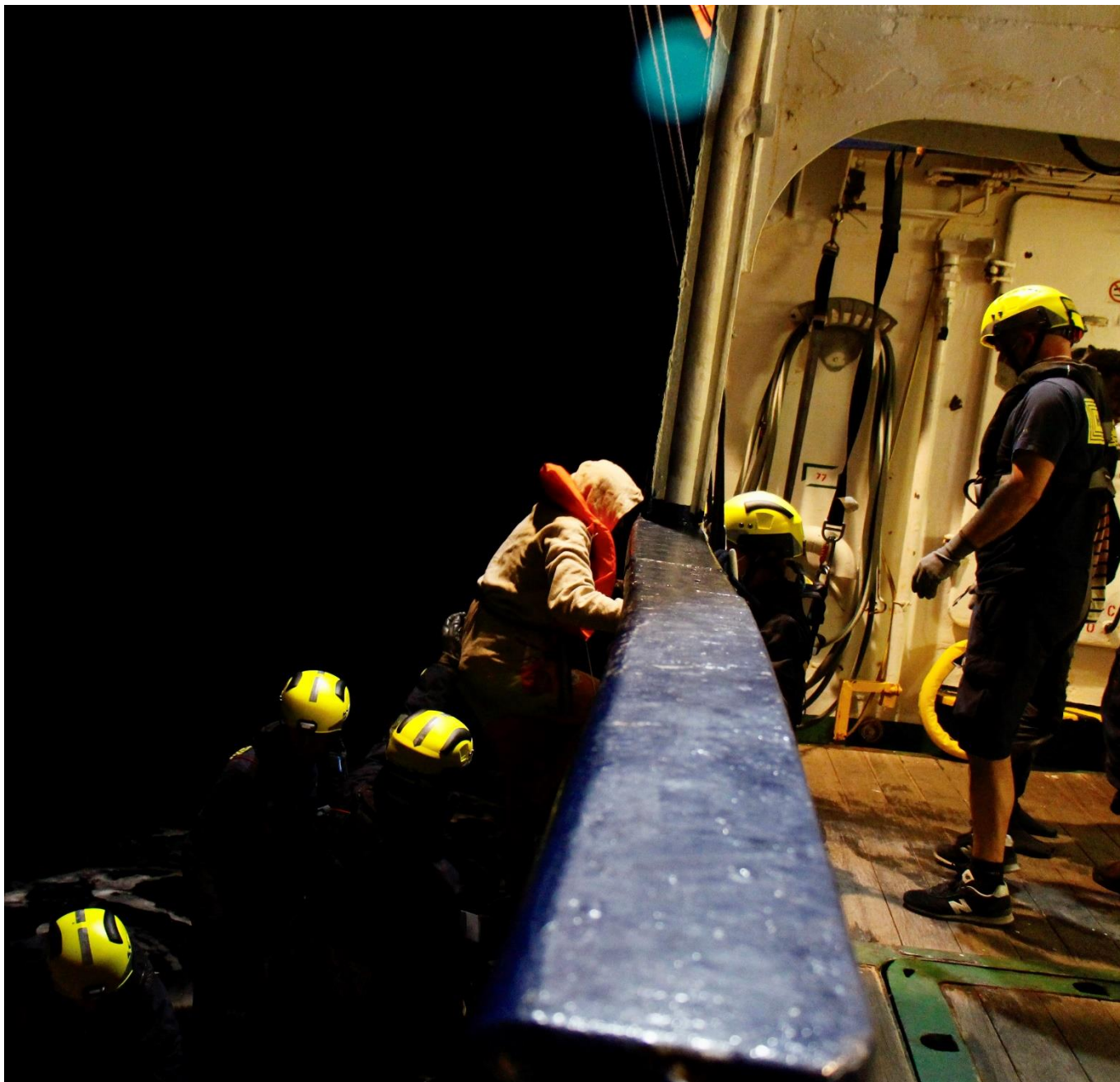
On 9 December, the Italian rescue coordination centre assigns Bari as a place of safety. Due to the long distance from the current position of Humanity 1 (320 nautical miles) and concerns regarding safe navigation due to adverse weather along the route, the captain of Humanity 1 requests the rescue coordination centre to consider assigning a port in the vicinity instead. After several hours without any response, he decides to head to Bari while closely monitoring the weather conditions and possible safety risks. Humanity 1 arrives in the port of Bari on the morning of 11 December. By 16:00 CET, all 261 survivors have been disembarked.



Speedboat of Humanity 1 conducting a rescue operation on 6 December.

Photo: Nici Wegener/Louise Michel

An extensive chronology of all events and communication with authorities during the three search and rescue operations can be found [here](#).



Survivors embark the Humanity 1 in the night of 5 December. Photo: Nicole Thyssen/SOS Humanity.

Testimonies and Crew Stories

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I came to Libya the first time with my two brothers. When we tried to escape the first time, the Libyans arrived. They took our money, they also shot at the boat, so we started sinking. I lost my two brothers in the sea, they both drowned. After that they took me and put me in prison. When I paid them, they took me to a house, but then sold me to a different man. I was raped there and now I am pregnant with his baby. I escaped, and a man helped me to pay for the journey again. This time we were found by Humanity 1. I want Europe to help me, I have nobody in Europe.

Fatime¹, Ivory Coast, 20 years old

”

I would demand politicians to spend two weeks on an NGO vessel to see what is happening during rescues. Would they still have the strength to say: ‘pull them back’? I would tell them not to lose sight of their humanity and remind them that all of us are just lucky to be born in the ‘right’ part of the world.

Maria, nurse on board Humanity 1

¹ Name has been changed.

Violations of International Law

In December 2022, 261 people were rescued by the NGO ships Humanity 1 and Louise Michel in accordance with applicable maritime law. However, about 50 survivors were illegally forced back to the country from which they had fled by the so-called Libyan Coast Guard. SOS Humanity condemns the violation of human rights, maritime law, and the rule of law at sea.

Legal Obligations: Communication and Coordination

Search and rescue at sea depends on passing on information that can make the difference between life and death. After all, a boat in distress can capsize at any time. The legal responsibility for coordinating search and rescue at sea and promoting adequate and effective search and rescue lies with coastal states. Yet although Humanity 1 and Louise Michel always kept the relevant national rescue coordination centres informed about all steps of their search and rescue operations, the authorities did not respond. The clear and transparent communication and coordination between the non-governmental rescue ships Humanity 1 and Louise Michel demonstrates what effective search and rescue at sea should look like. While NGOs uphold the law of the sea and actively implement it to save lives, EU member states once again put people's lives in jeopardy and violated international law.

Forcing Survivors back to Libya is illegal

During all four operations which Humanity 1 conducted in international waters, the threatening presence of armed men on boats flying the Libyan flag were interfering. On 6 December, Humanity 1 and Louise Michel witnessed the violent interception of people in distress at sea. Although Humanity 1 was responsible for the rescue as on-scene coordinator according to international maritime law, and as such repeatedly asked the two Libyan-flagged vessels not to intervene, they took approximately 50 people on board. Six survivors were left in the water and taken aboard Humanity 1. The survivors reported that the men took away their belongings and physically assaulted a pregnant woman.

The violent actions of the so-called Libyan Coast Guard and Libyan SSA militia show once again that these actors endanger safety at sea rather than conducting search and rescue operations. According to international law, a rescue operation ends with disembarkation in a place of safety, where survivors' lives and freedom are no longer threatened, and their basic human needs (such as food, shelter and medical needs) can be met. Libya, however, is not a place of safety. Forcing people back to Libya, as witnessed by Humanity 1, constitutes a violation of international maritime and human rights law. Nonetheless, the EU and individual EU member states have been supporting the so-called Libyan Coast Guard financially and materially since 2016. The EU's support to the so-called Libyan Coast Guard resulted in more than 24,680 people being illegally returned to Libya in 2022.



People in the water next to two Libyan-flagged vessels on 6 December.
Photo: Lukas Kaldenhoff/SOS Humanity

Distant Ports for Disembarkation

It is the legal duty of coastal states to assign a place of safety as fast as possible so the rescue operation can be completed, and the rescuing ship released of its responsibility. The amount of time survivors spend on board should be kept to a minimum. In practice, however, these legal obligations have not been respected for years. Survivors on board rescue vessels usually had to wait for days or even weeks before a place of safety was assigned. Since the end of 2022, the Italian government has been violating the law with a new strategy which keeps survivors on board rescue ships longer than necessary: the policy of assigning distant ports.

According to maritime law, and from a humanitarian perspective, a "suitable" place of safety should be assigned taking into account "relevant factors and risks". In the case of Humanity 1, the bad weather conditions posed a risk to the 261 survivors on board, who were sleeping on deck. Furthermore, most of the people who fled from Libya had experienced grave human rights violations such as torture. It is unacceptable to deliberately delay the completion of the rescue operation and the necessary onshore care for these survivors for several days when there are closer suitable ports as places of safety.

SOS Humanity calls on the EU and its member states to ensure that applicable international law is consistently respected and implemented in the Central Mediterranean. This includes the duty of coastal states to coordinate search and rescue at sea and ensure that survivors can go ashore promptly at a nearby place of safety.

Furthermore, the EU must immediately end all support to the so-called Libyan Coast Guard. Otherwise, the EU will continue to be complicit in grave human rights violations.

Overview of our Rotations since 2016²

	Rescue operations	Transfer operations	Total number of survivors	Men	Women	Minors
Humanity 1 (2022-today)	10	1	855	405	68	382
				Adult men and male minors	Adult women and female minors	
Ocean Viking (2019-2021)	62	1	5,108	4,584	524	1,629*
Aquarius (2016-2018)	177	62	29,523	24,829	4,694	6,502*
Total (2016-today)	249	64	35,486	-	-	8,513

²² SOS Humanity was founded in 2015 as SOS Mediterranée Deutschland e. V. and deployed the rescue ships Aquarius and Ocean Viking from 2016 to 2021 together with the European network SOS Mediterranée, partly with one partner organisation (mainly Médecins Sans Frontières from April 2016 to July 2020). Since 2020, SOS Humanity has been independently operating the rescue ship Humanity 1 under a new name.

* The number of rescued minors is also included in the number of male and female survivors from Aquarius and Ocean Viking.

Imprint

Publisher: SOS Humanity
PO Box 44 03 52, 12003 Berlin, Germany
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Editing: Marie Michel, Janna Sauerteig,
Mirka Schäfer (V.i.s.d.P.)

Layout: Ideenhaus GmbH, Eszter Naujoks
Proofreading: Lukas Kaldenhoff, Sasha Ockenden

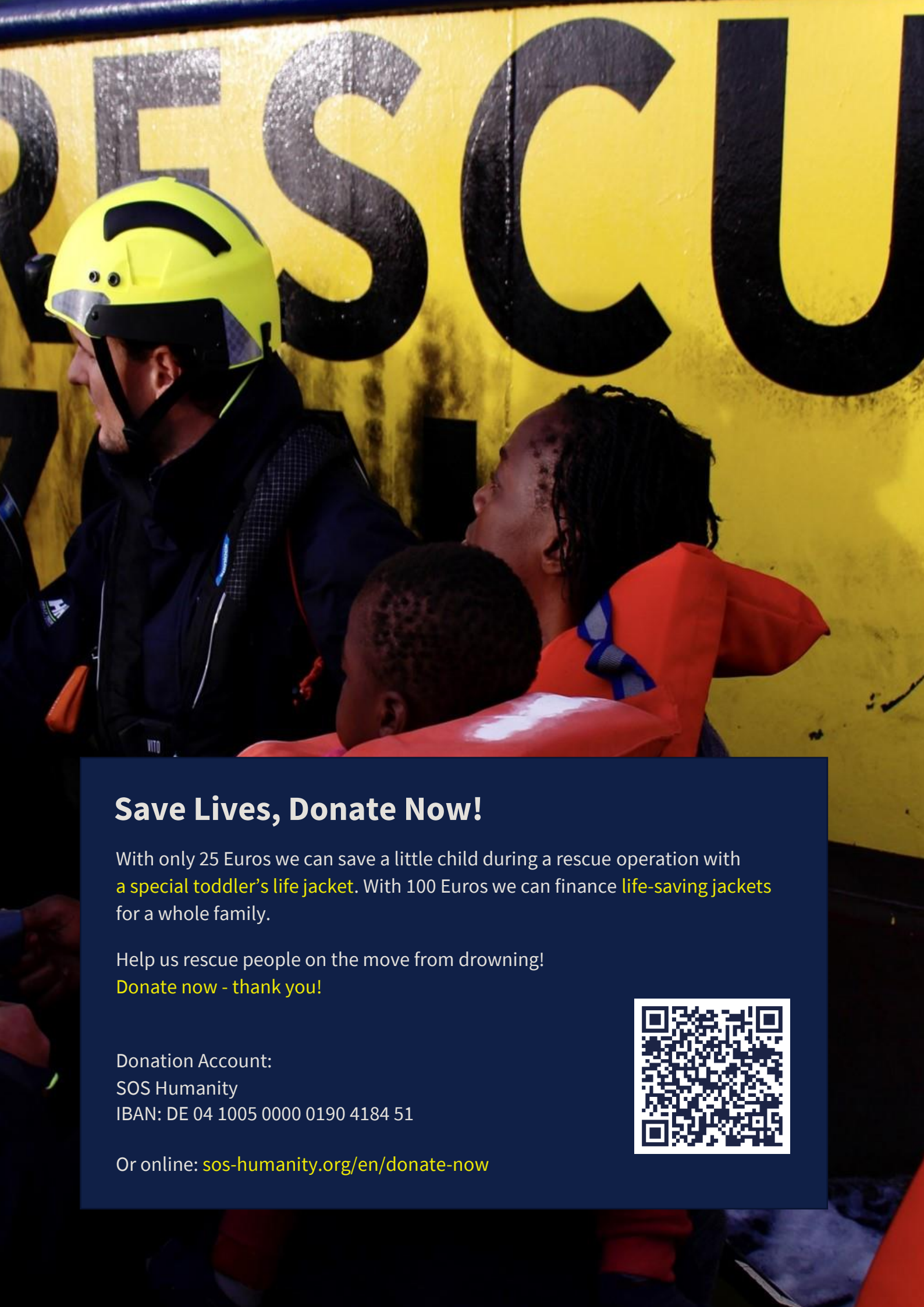
Editorial Deadline: 19.01.2023

Cover Photo: Humanity 1 crew witnesses a Libyan SAA militia vessel circling around Louise Michel during rescue. Nicole Thyssen/SOS Humanity

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