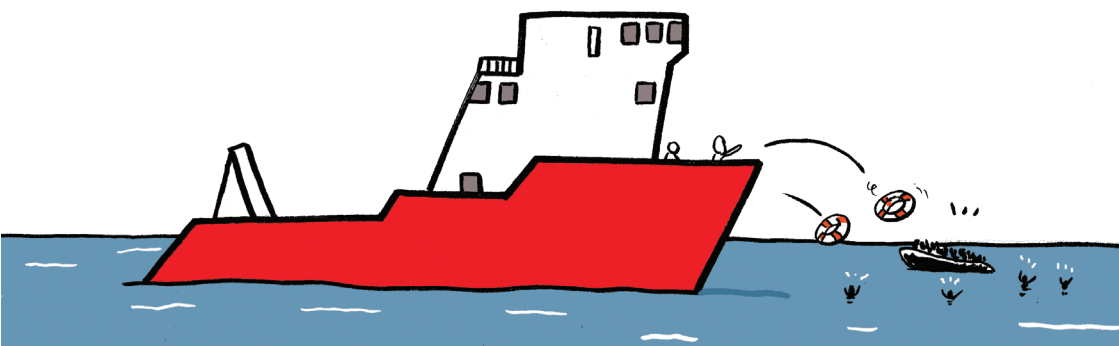


SOS MEDITERRANEE



STOP *FAKE NEWS* on search and rescue

SOS MEDITERRANEE, AND SEARCH AND RESCUE NGOS, ARE THE TARGETS OF VARIOUS DISINFORMATION CAMPAIGNS THAT AIM TO DISCREDIT THEIR ACTION WITH THE PUBLIC. HERE ARE SOME DOCUMENTED ANSWERS TO COUNTER THESE «FAKE NEWS» AND EXPLAIN THE FACTS.





The action of NGO ships is illegal.



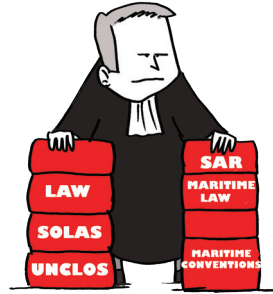
THE ACTION OF NGOS AT SEA LIKE SOS MEDITERRANEE IS LEGAL... AND VITAL.

SOS MEDITERRANEE HAS ALWAYS OPERATED IN STRICT COMPLIANCE WITH MARITIME AND INTERNATIONAL CONVENTIONS.

Its action is part of a precise legal framework and a long maritime tradition. Its search and rescue operations in international waters are based on the obligation imposed on all masters of any ships to provide assistance to all persons in distress at sea and to disembark them in a «Place of Safety within a reasonable time (...) and regardless of the nationality or status of such persons or the circumstances in which they are found.» (Reg 33 SOLAS Convention, 1974 - adopted on 20 May 2004). Several international conventions define the obligations of rescue at sea, including:

- [International Convention for the Safety of Life at Sea \(SOLAS\)](#) - 1974
- [International Convention on Maritime Search and Rescue \(SAR\)](#) - 1979
- [United Nations Convention on the Law of the Sea](#) - 1982
- [Guidelines on the treatment of persons rescued at sea](#) - IMO Resolution MSC.167(78) - 2004

The 1974 International Convention for the Safety of Life at Sea (SOLAS Convention) states that: «the master of a ship at sea which is in a position to be able to provide assistance on receiving information from any source that persons are in distress at sea, is bound to proceed with all speed to their assistance, if possible, informing them or the



search and rescue service that the ship is doing so.» (Reg 33). When a boat in distress is spotted, every master should, as far as possible, refer the matter to the Rescue Coordination Centre (RCC) responsible for the search and rescue region in which the boat is located. The RCC is then responsible for coordinating the rescue, designating the boat(s) responsible for the rescue and then the Place of Safety where the survivors should be disembarked. In accordance with this procedure, SOS MEDITERRANEE systematically informs the maritime authorities at all stages of its search and rescue operations.



It is not the responsibility of citizens to perform rescues.

THE FACTS

ASSISTANCE TO PERSONS IN DANGER IS THE DUTY OF ALL CAPTAINS.

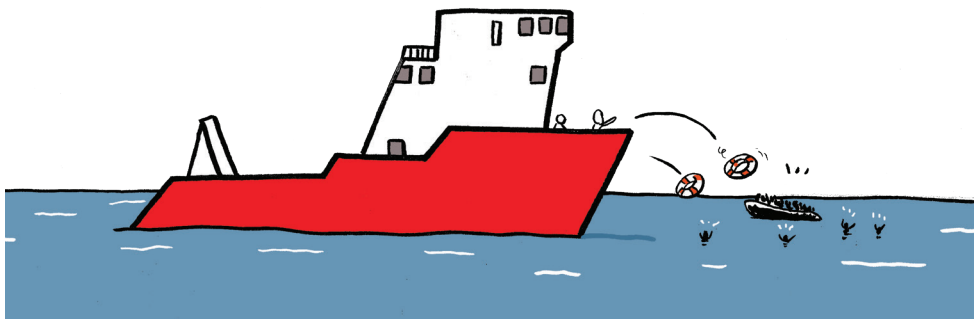
EVERY MASTER OF A SHIP HAS NOT ONLY A MORAL DUTY BUT ALSO A LEGAL OBLIGATION « TO RENDER ASSISTANCE TO ANY PERSON FOUND AT SEA IN DANGER OF BEING LOST», IN SO FAR “AS HE CAN DO SO WITHOUT SERIOUS DANGER TO THE SHIP, THE CREW OR THE PASSENGERS»¹.

States are responsible for coordinating search and rescue (SAR) operations in international waters. Thus, "every coastal State shall promote the establishment, operation and maintenance of an adequate and effective search and rescue service" (United Nations Convention on the Law Of the Sea, 1982, Article 98 (1)). However, this does not necessarily mean that all rescue operations are conducted by state vessels. Depending on the circumstances, national Rescue Coordination

Centres may need to contact a merchant navy vessel or any other private vessel in the vicinity of a boat in distress and order them to render assistance.

The end of the military operation Mare Nostrum, as it has not been replaced by another European rescue operation, has left a deadly gap of state rescue vessels in the central Mediterranean. The operation, led by the Italian Navy between 2013 and 2014, had rescued more than 150,000 people. Its cessation led to an unprecedented increase in the number of shipwrecks. Since 2014, the central Mediterranean has become the deadliest maritime migratory route in the world. SOS MEDITERRANEE considers this situation unacceptable and believes that civil society also has a responsibility: that is why it intervenes to save lives at sea and thus try to reduce the number of deaths at sea.

1. (United Nations Convention on the Law of the Sea – 1982 - Article 98 (1))





The presence of NGO ships encourages more people to cross the sea.

THE FACTS

DOCUMENTED VIOLENCE AND ABUSE IN LIBYA ARE DRIVING SURVIVORS TO FLEE VIA THE SEA WHEN WEATHER PERMITS.



THE IDEA THAT THE PRESENCE OF SEARCH AND RESCUE NGO SHIPS WOULD ENCOURAGE DEPARTURES FROM LIBYA, COMMONLY REFERRED TO AS THE «PULL FACTOR THEORY», IS REGULARLY CONTRADICTED BY FACTS AND SCIENTIFIC STUDIES.

People trapped in Libya are fleeing because they are living in inhumane conditions, regardless of whether rescue ships are present in international waters off Libya.

Reports from [Oxford University](#), the [University of London](#), the [European University Institute in Florence](#) and the [Italian Institute for International Politics Studies \(ISPI\)](#) show that there is no causal link between sea crossings in the central Mediterranean and the presence of Search and Rescue NGO ships. Several concrete examples also prove this: after the Mare Nostrum rescue operation was stopped in 2014, the number of departures and arrivals in Italy did not decrease. On the contrary, it has increased, as has the number of deaths: 3,165 people died in 2014 according to the International Organization for Migration (IOM), 3,232 in 2015. More recently, the Italian Institute for international political studies (ISPI), "[Migration and the Myth](#)

of the Pull-Factor in the Mediterranean", shows that between January 1st 2019 and February 24th, 2020, there were almost the same number of departures recorded when Search and Rescue NGOs ships were patrolling off the Libyan coast (52.0 departures per day) than when no Search and Rescue assets were present in the area (52.3 departures per day).

In November 2022, [Matteo Villa from ISPI](#) published that in the first four and a half months of 2021, the average number of people departing daily from Libyan shores is 125 with NGOs present in the North African country's search and rescue area and 135 without.

It is primarily the weather conditions at sea that influence the timing of boats departures from the Libyan coast, followed by fluctuations in the security situation and clashes in Libya.

Between 2014 and 2022, according to IOM data, over 20,000¹ people died in the central Mediterranean. It would be inhumane and cynical not to rescue people in distress at sea on the pretext of possibly deterring others from trying to flee.

1. https://missingmigrants.iom.int/region/mediterranean?region_incident=All&route=3861&month=All&incident_date%5Bmin%5D=&incident_date%5Bmax%5D=





The survivors should be returned to Libya.



RETURNING SURVIVORS TO LIBYA IS ILLEGAL AND DANGEROUS

INTERNATIONAL MARITIME COVENTIONS PROHIBITS THE DISEMBARKATION OF PEOPLE RESCUED AT SEA IN LIBYA AS IT CANNOT BE CONSIDERED AS A «PLACE OF SAFETY».

According to Resolution MSC.155(78) (2004 amendment to the International Convention on Maritime Search and Rescue, 1979), a rescue is not complete until survivors have been disembarked in a «place of safety», which means a place where “the survivors’ safety of life is no longer threatened and where their basic human needs (such as food, shelter and medical needs) can be met.”¹ As recognised by the Council of Europe², the United Nations³ and the European Commission⁴, these

criteria are not met in Libya. Those trapped in Libya suffer unimaginable violence.

Almost all the survivors who have fled what they call the «Libyan hell» and who were rescued by SOS MEDITERRANEE report scenes of corporal punishment, extortion, repeated arbitrary arrests, forced labour, and sexual violence. These large-scale human rights violations are also documented by other organisations such as Amnesty International and Human Rights Watch.

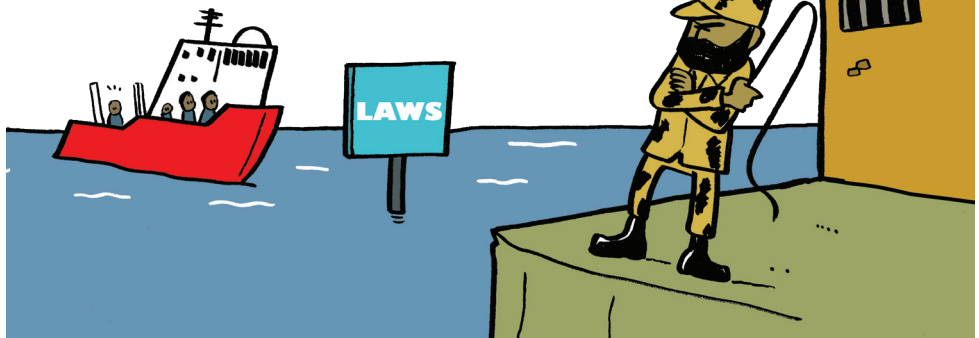
Disembarking survivors in Libya would therefore be a violation of international maritime law as well as the principle of non-refoulement, a fundamental principle of refugee law.

1. Annex to the 1979 SAR Convention, 132.

2. <https://rm.coe.int/sauver-des-vies-protoger-les-droits-combler-le-manque-de-protection-de/168096883c>

3. <https://www.ohchr.org/sites/default/files/2022-10/OHCHR-Report-on-assisted-return-and-reintegration.pdf> / <https://www.unhcr.org/news/press/2021/6/60ca1d414/iom-unhcr-condemn-return-migrants-refugees-libya.html?query=libya%20return>

4. https://www.ansa.it/english/news/general_news/2018/07/02/never-send-migrants-back-to-libya-ec-3_aeed40be-5ed7-40b9-8c74-dce9f6c3c208.html



NGO ships are facilitating the action of smugglers in rescuing migrants in international waters.

THE FACTS

NGOS SHIPS RESPOND TO AN URGENT HUMANITARIAN SITUATION AT SEA AND SAVE LIVES!

PEOPLE WHO ATTEMPT THE CROSSING ARE FLEEING EXTREMELY HARD LIVING CONDITIONS IN THEIR COUNTRY OF ORIGIN, WHICH AGGRAVATE IN LIBYA WHERE THEY FACE HARROWING HUMAN RIGHTS VIOLATIONS: arbitrary detention, physical violence, extortion, forced labour and sexual exploitation, among others. Faced with these inhumane living conditions, many have no

other choice than to flee via the sea, regardless of the cost of the crossing and despite the risk of losing their lives. The only solution is to rely on smugglers. The presence of NGOs has no role in this decision. The political and social context in Libya creates a market for smugglers. The accusation of collusion is serious and defamatory: the action of search and rescue NGOs is not the cause but an emergency response to the humanitarian crisis in the Mediterranean.



NGOs like SOS MEDITERRANEE work with smugglers.



SOS MEDITERRANEE OPERATES IN TOTAL TRANSPARENCY WITH COMPETENT MARITIME AUTHORITIES: INDEPENDENT JOURNALISTS ONBOARD BEAR WITNESS TO THIS.

SOS MEDITERRANEE INITIATES A SEARCH AND RESCUE OPERATION AFTER SPOTTING A BOAT IN DISTRESS VIA BINOCULARS OR ON THE RADAR, after being instructed by competent maritime authorities or after receiving information about a distress situation, also received by the maritime authorities, from another vessel, aircraft or civilian hotline.

search to the end of the rescue operation. All SOS MEDITERRANEE operations at sea and all interactions with other actors such as Rescue Coordination Centres are referenced in near real time, in an objective, factual and transparent manner, on the onboard.sosmediterranee.org website. Moreover, on each mission, several independent journalists come on board and can report on everything that happens at sea.

Competent maritime authorities are informed systematically by the Ocean Viking teams at every stage of the operation, from the active





Not all the boats rescued are in distress.

THE FACTS

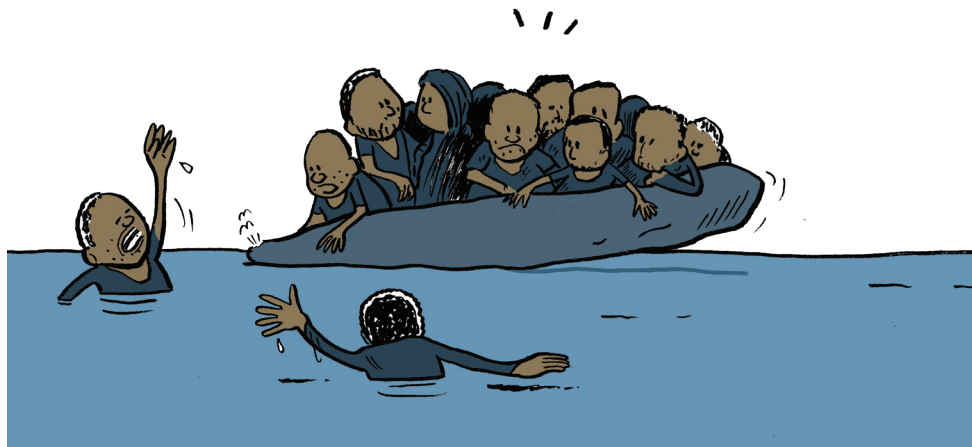
UNSEAWORTHY BOATS, OVERCROWDED, WITHOUT SUFFICIENT FOOD, WATER AND FUEL: A SITUATION REQUIRING IMMEDIATE ASSISTANCE.

THE TYPE OF BOATS THAT NGOS SHIPS ENCOUNTER IN THE CENTRAL MEDITERRANEAN ARE UNSEAWORTHY FROM THE MOMENT THEY LEAVE THE LIBYAN COAST.

According to maritime law, a distress situation is defined by: the seaworthiness of the vessel, the likelihood of her reaching her final destination or not, the number of people on board in relation to the type and condition of the vessel, the availability of fuel, water and food, the availability of safety, navigation and communication equipment and their state of operation, the presence of people requiring medical assistance, deceased persons, pregnant women or children

on board, weather and sea conditions¹. The boats rescued by SOS MEDITERRANEE, which are made of wood, or a rubber tube assembled with planks, are systematically overcrowded. Extremely fragile or in poor condition, they are unfit for navigation. Therefore, SOS MEDITERRANEE teams have set up very precise procedures and technics for offshore «mass rescue»: these boats can capsize or deflate at any moment, at the slightest movement of the people onboard for example. These boats are therefore «in distress» even if they are not all sinking.

¹ EU Regulation No. 656/2014, art.9 (f).





Humanitarian ships are picking up people directly in Libya.



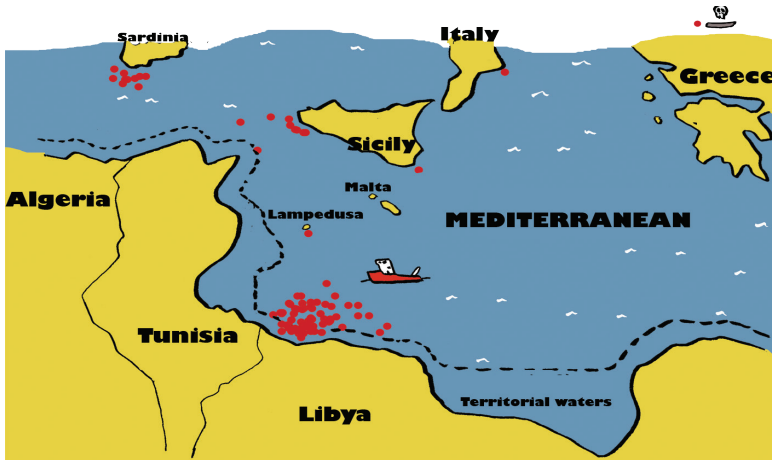
THE OCEAN VIKING RESCUES BOATS IN DISTRESS IN INTERNATIONAL WATERS.

SOS MEDITERRANEE ALWAYS PATROLS IN INTERNATIONAL WATERS OFF LIBYA.

Our ship never enters Libyan territorial waters (a zone extending 12 nautical miles off the coast - more than 22 kilometres) or territory as evidenced by the use of the Automatic Identification System (AIS). All ships navigating at sea, exception made for military vessels, have the obligation to have this maritime transponder turned on at all times.

This automated VHF radio message exchange system allows ships and traffic monitoring systems to know the identity, status, position and route of vessels. The AIS are used for safety of navigation and designed to be capable of providing information about the ship to other ships and to coastal authorities automatically. All information provided by AIS are published on open-source websites, such as the onboard.sosmediterranee.org website.

The Ocean Viking always complied with this obligation and her position is permanently recorded by its AIS onboard.



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[#StopFakeNews](https://twitter.com/StopFakeNews)

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