



SEMAPHORE

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Association of Australia and New Zealand



Sea-Watch/MSF Claim “Political Motivations” in Vessel Detention

An appeal has been filed with the Administrative Court in Palermo against the detention of the Sea-Watch 4, with appellants and vessel owners Sea-Watch alongside onboard colleagues Médecins Sans Frontières (MSF) claiming a “politically-motivated” injustice.

According to statements made by Sea-Watch and MSF, the search-and-rescue vessel was detained by Italian authorities after an 11-hour port state control inspection in Palermo in late September.

Reasons given for detention of the Sea-Watch 4 – which is said to have only two months prior met all German flag state safety requirements – reportedly include it having:

- too many life jackets onboard
- a sewage system not designed for the number of possible rescued persons
- several non-functioning lights
- been recently involved in the rescue and transhipment of more people than the total number of persons for which lifesaving appliances could be provided

The two organisations are particularly scathing of the last point – highlighting that the duty of ship masters to provide assistance to people in distress at sea is “enshrined” in the International Convention on Maritime Search and Rescue.

MSF project co-ordinator onboard the Sea-Watch 4 Barbara Deck emphasised that in the “spirit of co-operation”, concerted efforts had been made to fix “what we can”.

“[That is] despite some of the stated irregularities being too minor to justify detention,” said Ms Deck.

“The rest are quite frankly impossible to meet – for example, the ship’s flag-state, Germany, simply does not provide the type of certification required by the Italian authorities.

“For this reason, we fear that legitimate procedures and maritime law are being weaponised by the Italian authorities to stop search-and rescue activities.”

Sea-Watch chairperson Johannes Bayer said that under the “pretext” of security, a vital Mediterranean Sea rescue operation was being “deliberately prevented with flimsy justifications”.

“We must not get used to rescue ships being illegally blocked and Europe letting people drown as a deterrent [to refugees attempting to flee their countries],” he said.

“Those who fight for human rights must do so at all levels. This is why we filed an appeal against the arbitrary blockade of Sea-Watch 4. We are not only morally right; our ships are safe and ready to rescue.”

Sea-Watch head of advocacy Marie Naass said it was “shameful” that the European Union could debate “excessive” regulations and safety standards for sea rescue ships while its own member states were not fulfilling their individual duties to rescue.

“Instead of making ‘recommendations’ to make our work more difficult, the European Commission must ensure that the member states comply with the existing laws,” said Ms Naass.

“The German Federal Government in its position as presidency of the council and as a negotiating partner in its role as flag state, must take a clear position on this and use its office to put an end to the dying in the Mediterranean as well as the racist isolation policy of Europe.”

MSF head of mission Beatrice Lau estimated that between the vessel’s detention on September 19 and the appeal being lodged on October 23, “at least 80 people, possibly many more” had drowned in the Mediterranean.

“Hundreds more have been forcibly returned to Libya, where they may be subject to torture and abuse,” said Ms Lau.

According to the MSF, the Sea-Watch was the fifth non-government organisation search-and-rescue vessel to be impounded in Italian ports in as many months.

The United Nations Human Rights Office of the High Commissioner recently called for urgent action to address the “unimaginable horrors” faced by migrants attempting to cross the Mediterranean Sea in search of safety in Europe.

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