High-level Meeting to address Unsafe Mixed Migration by Sea

IMO Headquarters, London, 4 – 5 March 2015

IMO Initiatives on persons rescued at sea
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1- Introduction

- As a result of wars, famine, poverty, political or religious persecution, thousands of people travel in unseaworthy boats to find better conditions of living.

- The boats in which the irregular migrants travel are not properly manned, equipped or licensed for carrying passengers.

- Generally, irregular migrants transported by sea travel without documents, in cramped conditions, facing severe weather at sea and often even death.
2 - Obligations to provide assistance at sea under current Conventions

- **UNCLOS**: Article 98
- **SOLAS**: obligation of:
  - masters to proceed with all speed to the assistance of persons in distress at sea regardless of the nationality or status of such persons or the circumstances in which they are found (regulation V/33.1); and
  - Contracting Governments to ensure arrangements for coast watching and for the rescue of persons in distress at sea round their coasts (regulation V/7).
- **SAR**: 2.1.10
- **FAL**: Standard 7.8
- **SALVAGE**: article 10
3- Background on problems for disembarkation of persons rescued at sea

- Container ship **Tampa** off Australia in August 2001

- The IMO Assembly adopted resolution **A.920(22)**

- Governments are encouraged to take all possible measures to prevent the use of unsafe boats to transport migrants endangering their life and the safety of the ship and of the cargo
4- Amendments to SOLAS and SAR Conventions

- Approved in 2004, and entered into force 1 July 2006 (MSC resolutions 153(78) and 155(78)):
  - Governments have an obligation to co-ordinate and co-operate to ensure that masters of ships providing assistance by embarking persons in distress at sea are released from their obligations with minimum further deviation from the ship’s intended voyage; and
  - ensure that in every case a place of safety is provided within a reasonable time and with a minimum deviation

- Guidelines on the treatment of persons rescued at sea (Resolution MSC.167 (78)):
  - Primary responsibility to provide a place of safety, or to ensure that a place of safety is provided, falls on the Government responsible for the SRR
5- Other relevant IMO instruments

- **MSC/Circ.896.Rev.1**, Interim measures for combating unsafe practices associated with the trafficking or transport of migrants by sea (2001).

- **FAL.3/Circ.194** on Principles relating to administrative procedures for disembarking persons rescued at sea (2009)
Increased problems particularly in Mediterranean sea (Malta, Italy and Spain) – discussions in MSC, FAL, LEG, COMSAR, FSI.

March 2010: Secretary General’s initiative to promote regional MoU - idea of generating a pilot scheme, to be extended to other areas, to facilitate the disembarkation of migrants rescued at sea.
6- Latest developments

- Rome, Italy, 12 October 2011
- Informal meetings held in IMO Headquarters by a consultation group in July 2010, April 2011, June 2011, February 2012, November 2013, February 2014 and April 2014
6- Latest developments

Prevention of irregular migration:
• Joint efforts with other UN Agencies: [Joint statement](#) 10 December 2014
• IMO’s main concern: stop illegal, unregulated passage arranged by people smugglers, that put the lives of the migrants in danger, and also endanger the rescue services and merchant shipping taking part in the rescue operations.
• In 2014, 882 merchant ships diverted by the Italian RCC, 254 of them took migrants on board. These ships rescued more than 42,000 persons. Over 7500 persons rescued in 2015 so far.
LEAFLET RESCUE AT SEA:

- Practical guide for Masters, ship owners, Government authorities, insurance companies, and other interested parties involved in rescue-at-sea situations.

- Prepared jointly by:
  - IMO,
  - UNHCR, and
  - ICS
7- Summary

• IMO will play its part but the ultimate solution lies in collaboration among several other bodies and UN agencies and intergovernmental Organizations

• Current situation makes an intolerable strain on rescue services and on merchant vessels: On 15 February 2015: 12 boats with 2225 migrants on board were rescued; involving 3 Coast Guard, 2 Navy, 2 Guardia di Finanza and 4 merchant ships.
7- Summary

- Stop illegal, unregulated passage arranged by people smugglers, that put the lives of the migrants in danger, endanger the rescue services and merchant shipping which take part in the rescue operations, and pose a threat to navigational safety and the marine environment.