

Refugees at sea. Large scale SAR operations.

Norwegian Shipowners' Association. Advice and suggested check lists.



Content

| | |
|--|----|
| NSA guidelines for large scale SAR operations. (One-page check list)..... | 2 |
| 1. Introduction..... | 3 |
| 2. Conflicts, disaster, and human trafficking patterns at sea..... | 3 |
| 3. SAR involving large numbers of refugees. Rights and obligations. | 5 |
| 4. Check list: General preparation and advice: | 6 |
| 5. Check list: Monitoring, support while awaiting assistance: | 7 |
| 6. Check list: Refugees on board your ship. | 7 |
| 7. Check list: Nutritional, safety and camp management items. | 9 |
| 8. Check list: Health / hygiene for crew. Protective equipment (PPE). | 10 |
| 9. Useful links and resources..... | 11 |
| Registration form. Refugees at sea. Template. | 12 |

NSA guidelines for large scale SAR operations. (One-page check list)

In 2014, record numbers of refugees have attempted to reach Europe by sea, resulting in frequent SAR operations in the Mediterranean. The types of merchant ship involvement in SAR vary, but often involve large numbers of people (100 – 500). Ships may monitor and assist a small boat with refugees while waiting for assistance by a coast guard/navy vessel. Ships may embark refugees from small boats, assisting a few hours, then transfer refugees to a coast guard/navy vessel. Ships may embark, assist and transport refugees to a safe port for disembarkation – an effort which may last up to two days. SOLAS regulates your obligation to assist people in distress and your right to disembark them in a safe port. UN refugee conventions bar you from returning refugees to shore in a country deemed unsafe (like Libya). Seek advice if in doubt. NSA is ready to assist you if necessary.

Check list / summary of suggested guidelines:

- Make sure you company and crew is prepared. Discuss scenarios, roles, risks, solutions.
- Approach the refugees with a mob boat. Provide life vests, water/nutrition if possible.
- Establish trust. Assure the refugees that they are safe and will not be returned to shore.
- Calm down the refugees. Protect their boat from winds, waves, using you own ship.
- Keep in touch with the MRCC. Maintain good internal communication among the crew.

- If embarking refugees: Secure, prepare your ship. Lock the interior. Seal off dangerous areas.
- The transfer/embarkation phase is critical. Ensure safety and order to avoid accidents.
- Note the number of people. Specify gender, children, and nationality. Document events.
- Implement hygienic and infectious disease control measures for crew. Use protective gear.
- Keep refugees on deck in a 24/7 controlled environment. Wear uniforms, display authority.
- Control what the refugees bring on board. Body check/metal scan? Confiscate knives, etc.
- Show cultural and gender sensitivity. Identify and assist the most vulnerable.
- Ensure safety and supervision of children. Some may travel unaccompanied.
- Provide water and food/nutrition/shelter/medical aid as per your capabilities.
- Consider destroying the refugee boat –but note that the traffickers may try to interfere.

- After disembarking / transferring to a safe port:
- Search for stowaways. Hand over any remaining ID papers / belongings to the authorities.
- Disinfect decks / areas. Dispose of used personal protective equipment, properly.
- Debrief your crew after operation. Remember: some may need extra follow-up.

1. Introduction

This NSA advice is, to a large degree, based on the experience of Norwegian shipowners and crew onboard their ships, particularly in parts of the Mediterranean in 2014. Much of it is relevant in other area where human trafficking is common. Our aim is to assist shipowners and crews in preparing for potential participation in large scale SAR operations. SAR and refugee issues are complex. We focus on operational aspects for shipowners, and refer briefly (and link) to legal and human rights aspect.

Our generic advice should be adapted to the realities of each shipowner, ship and voyage/ operation.

Note that we, in accordance with guidelines issued by UNHCR, IMO and International Chamber of Shipping (ICS), use the term “refugees” throughout this document. This does not constitute an NSA position on the legal status of rescued persons. It should not be up to shipowners or crew to determine the legal status of the people they rescue at sea.

In this document the term “ship” means the merchant or offshore ship and crew that takes part in SAR operations. The term “crew” means the ship’s crew, under the command of the shipmaster.

The Norwegian Shipowners’ Association is responsible for the content of this document. However we would particularly like to thank several Norwegian shipowners and their crew for sharing their experiences. We received valuable input from Norwegian seafarers unions (NSOF, DNMF, NSF), and overall advice on refugee issues from the Norwegian Ministry of Foreign Affairs, the Norwegian Ministry of Trade, Industry and Fisheries and the Norwegian Ministry of Justice and Public Security, as well as the Norwegian Seamen’s Church and insurance experts. Norwegian Shipowners’ Association and the Norwegian Refugee Council continue to work together to raise the issue of refugees at sea on the Norwegian, European and international political agenda.

The pictures have been generously provided by crew on board Norwegian owned vessels and were taken during SAR operations in the Mediterranean in 2014. The illustration was clipped from the recent (and excellent) report “Fatal journeys” by the International Organization for Migration (IOM).

This document may be updated. Your comments are welcome (email beredskap@rederi.no)

2. Conflicts, disaster, and human trafficking patterns at sea.

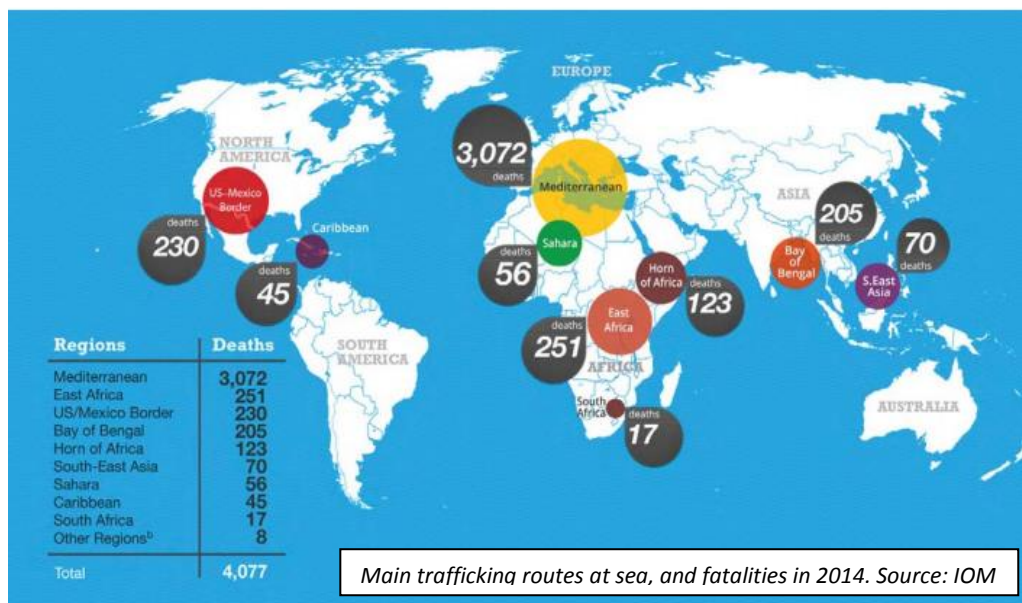
Search and rescue operations are not new to shipping, and there is a longstanding tradition among Norwegian (and many other) shipowners to assist when needed. SOLAS and UN refugee conventions regulate the legal obligations to assist in SAR, the right of the ship to disembark those rescued in a safe port, and restrictions regarding the return of refugees to unsafe shore/ports.

It is the great number of refugees at sea and the frequent SAR operations that makes the situation in the Mediterranean extraordinary. With hundreds of refugees on board, the shipmaster and the 20 or so crew will effectively be in charge of a medium sized refugee camp at sea. In order to handle such situations well, situational awareness, preparation, experience and flexibility is necessary.

The many current violent conflicts in the Middle East and several African countries, as well as natural disasters, have resulted in very high numbers of refugees globally (50+ million people). As of early this summer some 750 000 people intended to cross over by boat from Maghreb to Europe, according to reports.

As of early October 2014 approximately 165 000 refugees attempted to reach Europe by sea (source: UNHCR). In 2013 the total number of

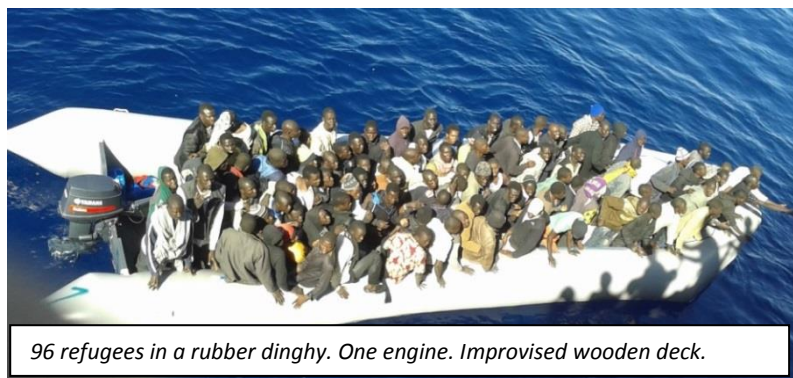
people crossing the central and eastern Mediterranean was 60000 (source: EU Frontex).



This is the world's most dangerous trafficking route at sea: More than 3000 refugees have drowned in the Mediterranean so far in 2014, representing 75% of global figures (source: IOM). In the fall of 2013 hundreds of refugees drowned off Lampedusa, Italy. Since then the Italian navy and coast guard have strengthened their SAR efforts through operation "Mare Nostrum", in a 50 NM by 580 NM area between Italy and Libya-Tunisia (source: Frontex). But meantime the human trafficking has increased and Italy has called for assistance by the EU. The EU now discusses whether EU's border control operation Frontex should carry out SAR operations outside European territorial waters (Frontex Plus).

The refugee boats are often not seaworthy. Navigational skills and equipment are minimal if at all existent. Refugees sometimes embark larger vessels and may be forced to transfer to smaller ones, and then being left to themselves a short distance from where they set out to sea, with only a handheld compass and a satellite phone as navigation and communication means. They may only have a rough idea of the direction to Italy (or another European country). Many set out from Libya, where the breakdown of the rule of law permits the illegal business of human traffickers.

To human traffickers the lives of refugees are not worth much. In a grave incident off Egypt recently, some 500 refugees drowned. According to preliminary reports the boat they were in was rammed by traffickers and sunk after the refugees refused to transfer to a smaller boat.



Dumping refugees in ship lanes and offshore fields.

In an apparent new modus operandi, people smugglers promise refugees transport to Italy, Malta, Greece / Europe, but instead “dump” the refugees in shipping lanes or near oil rigs, relatively close to North African shores. This allows them to handle large volumes of refugees quickly. When a critical situation arises, merchant ships or coast guard/ navy vessels hopefully come to the rescue, and provide further transport to Europe.

NSA has received reports that Italy has led up to 9 SAR operations off Libya simultaneously. Italy's efforts are impressive. It is a dilemma that traffickers exploit available SAR resources to increase their business. Human trafficking is profitable: a journey typically costs 1000 - 3000 USD per person.

We believe it is reasonable to anticipate a continuation of high numbers of refugees at sea in the central and eastern Mediterranean into 2015, peaking in the “refugee boat seasons” (spring to fall).

3. SAR involving large numbers of refugees. Rights and obligations.

Currently SAR operations occur very frequently north of Libya and Tunisia and south/east of Greece and Cyprus. The types of SAR assistance by merchant ships in the Mediterranean vary greatly. Ships may initiate SAR themselves, or be requested by MRCC's to assist. Ships may monitor the refugee boat while waiting for a navy or coast guard ship to arrive and pick up the refugees. Ships may take on board refugees from small boats, and then wait for transfer to a coast guard or navy vessel. Finally, ships may pick up and transport refugees to a safe port for disembarkation.



As a rule of thumb, merchant ships in the most busy Mediterranean trafficking routes should be prepared to take part i SAR operations involving refugee boats carrying 100 – 300 people. Up to 500

refugees have been rescued from small boats, but then the MRCC / rescue authority may try to share the burden between several assisting ships.

SAR operations in this area typically last from a few hours up to two days. This depends on the nature of your ship's involvement, i.e. from monitoring to transferring to transporting the refugees, and the availability of other SAR resources, as well as the distance to a safe port.

SOLAS and UN refugee conventions: Rights and obligation to disembark refugees in a safe port

SOLAS provides the right to disembark those rescued, in a safe nearby port. UN refugee conventions prohibit the return to unsafe ports/shores. SOLAS is normally respected by coastal states. Only rarely will a ship be denied its right to disembark people rescued at sea. The "MV Tampa case" in 2001 was extreme. Due to particular circumstances it took ten days to find a solution which allowed "Tampa" to disembark its 430 refugees. In a recent case refugees objected (for some hours) to disembark from a passenger ship that had saved them, in Cyprus, insisting on transport to Italy. Before the Lampedusa tragedy in 2013, some European coastal states restricted such disembarkation.

Should you encounter this type of obstacles after having rescued people at sea, do not hesitate to call the NSA for advice. The flag state, UNHCR and others can also assist.

4. Check list: General preparation and advice:

- ✓ Information is key. Prepare for what crew may encounter in major maritime trafficking areas: Great numbers of refugees, and distressed, injured, or sick persons, possibly dead bodies.
- ✓ "Camp management", crowd control: Assign roles for relevant crew members. Prepare/exercise how to quickly organize ship so as to care for the refugees while maintaining authority/control.
- ✓ Be prepared to shut down the interior of your ship if bringing refugees on board. Plan for taking care of refugees in deck areas, in a controlled environment.
- ✓ Maintain good communication with the MRCC throughout. The MRCC will advise on your role. MRCC will also request an overview of numbers including the number of children, gender composition and nationality, Prepare a system for registering such information. ID documents are often missing and name registration can be difficult.
- ✓ Document events, but consider who you share this information with. Follow your company's own safety guidelines and reporting systems.
- ✓ Know your SOLAS obligations and rights, and basic refugee rights. Note that the UN Refugee Convention prohibits return of refugees to where they risk persecution (for example Libya).
- ✓ Seek advice if necessary. NSA may assist. See also the resources and contact details listed below.
- ✓ Have post-incident debriefing routines in place. Take good care of any distressed crew members.

5. Check list: Monitoring, support while awaiting assistance:

- ✓ Place the ship so as to protect the refugee boat from weather/waves and to lessen sea sickness.
- ✓ Use the mob boat to access the refugees. Bring safety vests, water and food. Explain that it is important to remain in their boat.
- ✓ Count the refugees. Identify vulnerable persons. Ensure that the sick, children etc. are cared for.
- ✓ Refugees fear being returned to shore. Underline that they are safe and will not be returned to where they came from. If you fly the Libyan flag (operating offshore Libya), consider lowering it to avoid misunderstandings about the nationality/role of your ship.
- ✓ There have been instances where children and women have been thrown into the water to speed up the SAR process. Try to calm the situation and help those in the water.
- ✓ Establish trust and good communication with the refugees. Identify "leaders" and helpers. Make use of their resources (language skills, knowledge, authority, roles in group).
- ✓ Prepare a safe transfer phase (to your ship or a navy/coast guard vessel). Avoid panic.
- ✓ Note that human traffickers could be on board / near the refugee boat. They may try to force a SAR process to speed up the transfer of refugees to your ship, to be able to get their boat back and quickly return to shore to pick up a new load. Their main interest is money, not helping refugees.
- ✓ Organize and secure your ship, and a safe transfer. If you decide to bring refugees on board: This is a critical phase. See above.



6. Check list: Refugees on board your ship.

- ✓ Organization and oversight: Count and map the refugees at the earliest opportunity, before or during embarkation. This information is important for safety reasons, for the MRCC and port authorities.
- ✓ Let "leaders" and resource persons (English speakers etc.) assist you in communicating with, organizing and aiding the refugees.
- ✓ Ensure supervision of children. Some travel without parents/guardians.



- ✓ Be gender sensitive. Note that physical contact with women can be perceived as intruding. If possible, assign any female crew members to assist female refugees.
- ✓ Keep single women/children, families and single men in separate groups if possible.
- ✓ The refuge boat should be sunk so as to avoid it being used again by traffickers. Consult with the MRCC. Note that traffickers have acted aggressively against crew to have their boat returned.
- ✓ Security: Stay in control of your ship. Lock the interior, and close off dangerous/sensitive areas.
- ✓ Limit the amount of personal items that refugees bring onboard. Consider light body/luggage searches (manually or with simple metal scanners). Confiscate knives / dangerous items.
- ✓ Keep the refugees on deck, to better supervise and assist them. Separate decks into different zones (use tape or rope).
- ✓ Organize a 24/7 guard system to monitor and secure the ship. Use uniforms at all times to display authority. Avoid sharing information about security routines, the number of crew, etc.
- ✓ Fights between the refugees can arise. Calm the situation and be firm. By considering the ethnic/cultural/religious background of the refugees you may avoid conflicts.
- ✓ Unstable or ill intended persons may be among the refugees. Human smugglers could be among those rescued or loitering near your ship, noting your actions but trying to avoid exposure.



Keeping count of the refugees can be challenging.

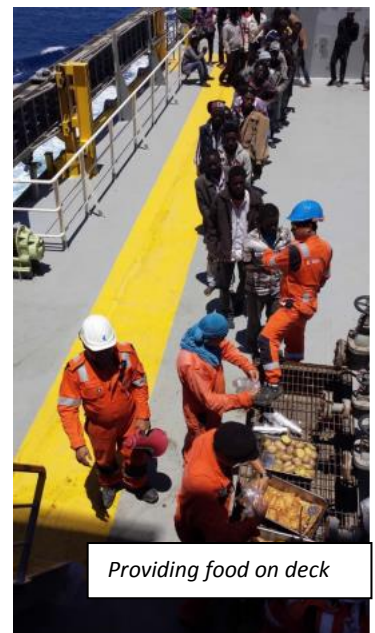
- ✓ Health: Sanitary facilities should preferably be on deck. One toilet per 20 to 50 persons is a minimum requirement. Toilets should be set up as far away from water/food area as possible.
- ✓ Disinfect boots with chlorine solution before going below deck or entering the interior. Keep decks clean.

- ✓ Infectious disease control measures such as face masks may be necessary if one is likely to come in close contact with the refugees (see health items check list for details).
- ✓ If handling dead bodies, treat them properly and respectfully. Keep bodies in body bags, separate from refugees and crew, but easy to reach. Consider personal protective equipment (check list)
- ✓ **Disembarkation in a safe port:** Hand over registered information to authorities in the safe port, or the coast guard (or similar) vessel that receives the refugees. (see the registration form)
- ✓ The MRCC rescue authorities (or others) may ask for pictures of the refugees and SAR operation. However be discrete when taking pictures and be conscious about who you share them with.
- ✓ Carry out a stowaway search immediately after the refugees have been disembarked.
- ✓ Hand over any ID papers and personal belongings to rescue/port authorities.
- ✓ Disinfect relevant decks and areas.

7. Check list: Nutritional, safety and camp management items.

The items below have proven useful when embarking and assisting large numbers of people / refugees at sea. You may get far with existing resources on board, however for certain vessel types, operations, voyage routes etc. you may consider pre-storing some of these items:

- ✓ Simple registration forms (number/gender/nationality. See template).
- ✓ Nutrition bars: easy storage (no cooling required), long life, or other food.
- ✓ Adequate drinking water supply. Plastic bottles / disposable cups.
- ✓ Life vests (for children and adults).
- ✓ Large tarps to protect against sun, rain.
- ✓ "Space blankets", useful, lightweight. Simple mats (not essential).
- ✓ Camping style toilets, with disposable bags.
- ✓ First aid/medical kits.
- ✓ Disinfectant foam / chlorine detergent, for deck cleaning.
- ✓ A simple metal detector.
- ✓ Body bags.



8. Check list: Health / hygiene for crew. Protective equipment (PPE).

At NSA's request, the Norwegian Institute for Public Health (FHI) has recommended a basic kit of widely available personal protective equipment, for infectious diseases control (including Ebola).

Items list:

- ✓ Anti-bacterial gel/sanitizer – individual packages, and dispensers on the ship.
- ✓ Area disinfectant for surface cleaning– chlorine based are cheap and efficient.
- ✓ Fluid-resistant, impermeable coat with long sleeves and cuffs. Tychem coveralls for situations where one gets involved in handling/carrying persons who may be infected.
- ✓ Gloves (latex or nitrile) of an internationally accepted standard: CE marked EN 455-1, EN 455-2 and EN 455-3. Use underneath work gloves to avoid rifts.
- ✓ Respiratory protection: FFP3 mask (equivalent to the N95 US standard), if unavailable FFP2 or surgical face mask. Note that the mask should be properly fitted to the face. Mask may not fit persons with beards and large moustaches.
- ✓ Eye protection: Face shield or goggles.
- ✓ Hair and shoe protection: to be considered but not vital.

To do list :

- ✓ Protect mucous membranes (eyes, mouth, nose) and open wounds.
- ✓ Hand hygiene is essential.
- ✓ Use coats, gloves, masks etc. correctly and only when necessary. Wearing some of the equipment for too long time or putting it on / removing it the wrong way may involve risk.
- ✓ Dispose of used equipment properly.

See more information at this link to the CDC [instruction manual](http://www.cdc.gov) (www.cdc.gov)

9. Useful links and resources

- [International Organization of Migration \(IOM\) report “Fatal Journeys”, September 2014](#)
- [Rescue at Sea guidelines \(2006 – to be updated\)– UNHCR-IMO-ICS](#)
- [SOLAS convention - 2004 amendment](#)
- [UNHCR webpage](#) (including relevant contact details)
- IMO's [webpage](#)
- Center for Disease Control website www.cdc.gov and FHI website www.fhi.no
- [NSA Contingency Planning Secretariat](#):
 - www.rederi.no
 - beredskap@rederi.no
 - NSA Emergency assistance telephone +47 90095001

Comments or questions? Your input is welcome!

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(ANNEX, page 12: Template: Refugees at sea. Registration form)

| Registration form. Refugees at sea. Template. | | | |
|---|---|---|---|
| Vessel name: | | Date and time: | |
| | | Position / area: | |
| Comments: | | | |
| Number | Nationality/Origin (fill in the information you get) | Gender | Age group (fill in the child's age if possible) |
| 1. | | <input type="checkbox"/> Male <input type="checkbox"/> Female | <input type="checkbox"/> Child, age: <input type="checkbox"/> Adult |
| 2. | | <input type="checkbox"/> Male <input type="checkbox"/> Female | <input type="checkbox"/> Child, age: <input type="checkbox"/> Adult |
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| 30. | | <input type="checkbox"/> Male <input type="checkbox"/> Female | <input type="checkbox"/> Child, age: <input type="checkbox"/> Adult |
| Total number, this page: _____ Males: _____ Females: _____ / Children _____ Adults: _____ | | | |