



CASE STUDY

HUMAN RIGHTS AT SEA

Personal report on a Libyan Push-Back Case

“Around 30 people have died on the night of the 21st of October, but 120 others have survived thanks to our only help, to our determination to staying on the rescue scene. ”

Melanie Glodkiewicz

16 November 2016

Introduction

The second mission I am taking part in with a new amazing crew has started on the 16th October when we have left Malta's harbour once again with the Sea-Watch 2, a beautiful ship that I am getting to know better each day, and where I will always feel like home.

During the past weeks, trust has appeared to be key to a successful mission. It is always difficult to put your safety and life into the hands of people you have just met, but the common goal to save lives at sea, and the strength that all volunteers have put into it has created a first link between all 16 crew members.

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Our relationship to each other has been reinforced during the past days. We have been through the most unfortunate situations through which no human is prepared to go through. The frustration of only being a dirty-job gap-filler of the European Union has mounted anger towards the authorities, towards the currently deployed operations, towards those who turn a blind eye on what is currently happening, towards each individual who has accepted to let people die at sea, who has made us carry the weight of a body that has been forgotten for days in the salted water of the Mediterranean.

The first days of the search and rescue mission were difficult. However, this commonly used adjective does not allow the most common European citizen to understand the context of the rescues, and the feeling of tiredness that is not only related to the long days of work, but also to the people who are letting this happen.

The feeling of being one with the sea and the sky is indescribable. It is a working context that I have feared before taking part in my first mission. However, seeing the sun rise and set everyday just for yourself and the sea gives a mind-blowing feeling of peacefulness, and makes one feel so close to nature that nothing else in the world seems to matter anymore than this primary contact, followed by a feeling of freedom that only those who've been at sea would understand.

When the first ray of light appears on the horizon, our crew searches relentlessly for the first migrant boats that would have left Libya at night. Once the first migrant boat is spotted



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between the sky and the sea, everybody gets ready for their working position for a new day of rescue. With some days of experience, we now know that we are getting ready for long rescue hours, because rest will only come around 18-20 hours later.

After spending a full day at sea, we have been called to rescue another spotted migrant boat. Our two speedboats get ready to be dropped in the rescue zone. It seemed to be business as usual with a major difference: it was around 2-3AM, and dark. As a communicator, this operation seemed challenging at first since only a very poor visual analysis of the situation could be made. This context also makes it more complicated from the migrants' point of view since they need more time to trust me because they cannot see who is talking to them.

All in all, I was quite happy and self-satisfied in the beginning when I've managed to make a whole over-packed and stressed rubber boat trust my voice. The situation was then calm and the persons on-board were ready to follow the next steps of the rescue procedure without unnecessary panic or aggression.

The situation then changed all of a sudden.

I would like to remind the reader that this is my communicator point of view. What has happened previously was out of my focus. I have seen a grey vessel with around 20 persons wearing military uniforms on-board. I knew they were Libyans, but as usual, I was never sure



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of if they were official Coastguards trained by the EU, shady persons following the migrant vessel only looking for the engine, or simply an armed militia.

When I took another peak at the stranger vessel, I saw that they were armed. After, I have decided to stop destabilising myself and focus on the migrants I have previously promised a safe rescue. At this moment, I have put my whole life and personal security into the hands of my dedicated speedboat driver, remembering the reader of the importance of trust cited in the beginning. Never would I have imagined that the extent of trust would go so far.

Coming back to the migrants in distress, I have observed the situation on-board, seeing a lot of fear in the eyes of these people who only sought to flee from Libya and were ready to jump and drown if they had to be deported back to Tripoli. I then told them with the same reassuring tone of voice as before that all will be ok, that we will stay beside them whatever had to happen.

Then, the Libyan vessel pushed through with indecent horse power between our two speedboats that were ready to distribute life jackets, accessing our spotted rubber boat with an aggressive behaviour.

Drifting away from the boat in distress, we have been gesturally asked by the Libyans to move away from the scene. Simultaneously, I hear a lot of discussions going on through the



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VHF radio between our captain and Italian Coastguard vessel, involving MRCC Rome, asking us to retract from the scene because our security was in danger.

A person then throws a rope from the Libyan vessel that would have been meant to be used as a towing line. Another person jumps into the migrant boat stepping on the migrants, kicking them while going through the boat, and randomly hitting the persons sitting on the rubber tubes in the head with an object I was unable to identify.

I then felt completely hopeless thinking that many will jump in despair, others will simply die by being towed back, and the rest may end up tortured, raped and exploited again in some Libyan prison.

One person then jumped off the migrant boat into the water without leading to any reaction from the Libyans on-board what seemed to be an expensive and new vessel dedicated to make war. He then discretely swam towards our speedboat, still without any reaction from the enemy vessel. We then asked him to get out of the spotlight and rolled him quickly into the boat, ordering him to pretend to be dead. The doctor on-board with me and myself have then covered him with our life jackets.

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Seeing our security decreasing throughout the situation, our speedboat driver then decides to move out of the scene to hide us, at the stern of SEA-WATCH 2 ship on the portside to avoid being seen by the Libyan vessel.

The migrant boat seemed then to be getting ready be pushed back to Libya, after a member of their vessel has done some manipulation to their engine on-board. However, we then see the migrant boat just in front of our ship being abandoned by the Libyan vessel who turns their lights off and drive away.

The following moment has been filled with confusion since we didn't know where the Libyans were anymore, and we could hear orders from MRCC Rome through the Italian Coastguards to retract from the area and abandon the rescue operation.

Then the next events have happened very fast. We could hear the captain of our ship reminding the persons communicating on the VHF radio that we have a moral obligation to save all of the persons on-board of this rubber boat. We then hear shouting and panic coming from the boat in question. It has started deflating from the bow, and the persons on-board were starting to fall in the water. We were assisting to a massive man overboard to which we have reacted very quickly and as efficiently as we could.

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Having to rescue people can be the most rewarding, as well as the saddest experience to make. Quickly, you realise the existing thin line in between life and death. When a person is desperately moving and shouting for help while struggling to stay visible, it is a question of grabbing his arm and giving him all strength possible to pull him/her up onto the speedboat. You then understand that only a few minutes represent the very thin boarder between life and death. Between assisting the drowning person in giving the rest of energy he/she has to survive, and having to dive down into the water, desperately looking for something to grab for before seeing it slowly disappear into the deep black sea of the Mediterranean while understanding that going deeper into the water would put yourself in danger.

While handling the massive man overboard operation, we have done our best, and I will never forget how proud I was of all members of our crew dedicating themselves as they would have never to prevent all 150 people from drowning. Around 30 people have died on the night of the 21st of October, but 120 others have survived thanks to our only help, to our determination to staying on the rescue scene.

However, we have experienced death in the most terrible way, seeing lives suddenly disappear all around us. After catching a man that has probably been underwater for a few minutes, another crew member and I have desperately tried to resuscitate this person who would have survived if we would have caught him a few minutes earlier, but especially if the initial rescue operation would not have been interrupted by the Libyans trying to show what they can also do.

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I thought that I would not experience a more dramatic limit, but the worst came when we handed over the dead body to the Sea-Watch 2 ship. Previously rescued men trying to understand on what type of ship they have landed have seen the corpse on the bow of my speedboat, have looked into my eyes as deep as nobody ever has until this day, and made an interrogative nodding sign with their heads, asking me silently if he was just sleeping, or if his trip to Europe has ended at this precise event.

When they understood that they have just lost a brother, a friend, they have cried so hard that their feet couldn't prevent them from falling onto the ground of our ship. This is an image that I will carry with me forever.

The days after have been followed by more deaths. For an unknown reason until now, more migrants have died on the boats that were on the way for the better expected life. We have then spent the following days handling over 20 bodies of people that have been intoxicated by the spilling gasoline on their boat.

Again, I repeat my fear towards the extension of Operation Sophia, and specifically the training of the Libyan Coastguards. What liability would the European Union have when migrants will be pushed back to Libya? These deportations dictated by the European Union should be considered a violation of the non-refoulement principle as lives are being put in danger.



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All migrants that we have been honoured to guest on our ship have spent hours speaking of the atrocities that have been taking place in Libya, where nearly all African person is considered as a person to exploit, torture, and rape. What migrants have been through in this failed state makes them easily take the decision to risk their lives at sea and maybe die there if it has to happen, but even drowning in the Mediterranean seems to be a better option than staying in Libya.

We will not stop saving lives at sea because we believe that it is a responsibility to rescue all person in distress.

We will not stop recovering dead bodies, however damaged they are, because families and friends deserve to know what happened to their relations.

We will not stop fighting for the respect of the human being in distress at sea.

We demand respect of human rights at sea.

We demand a safe passage for those seeking refuge in our countries.

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ANNEX

Pictures of the incident

21st of October 2016



Picture 1: Discrete rescue of first migrant who jumped overboard the rubber boat.

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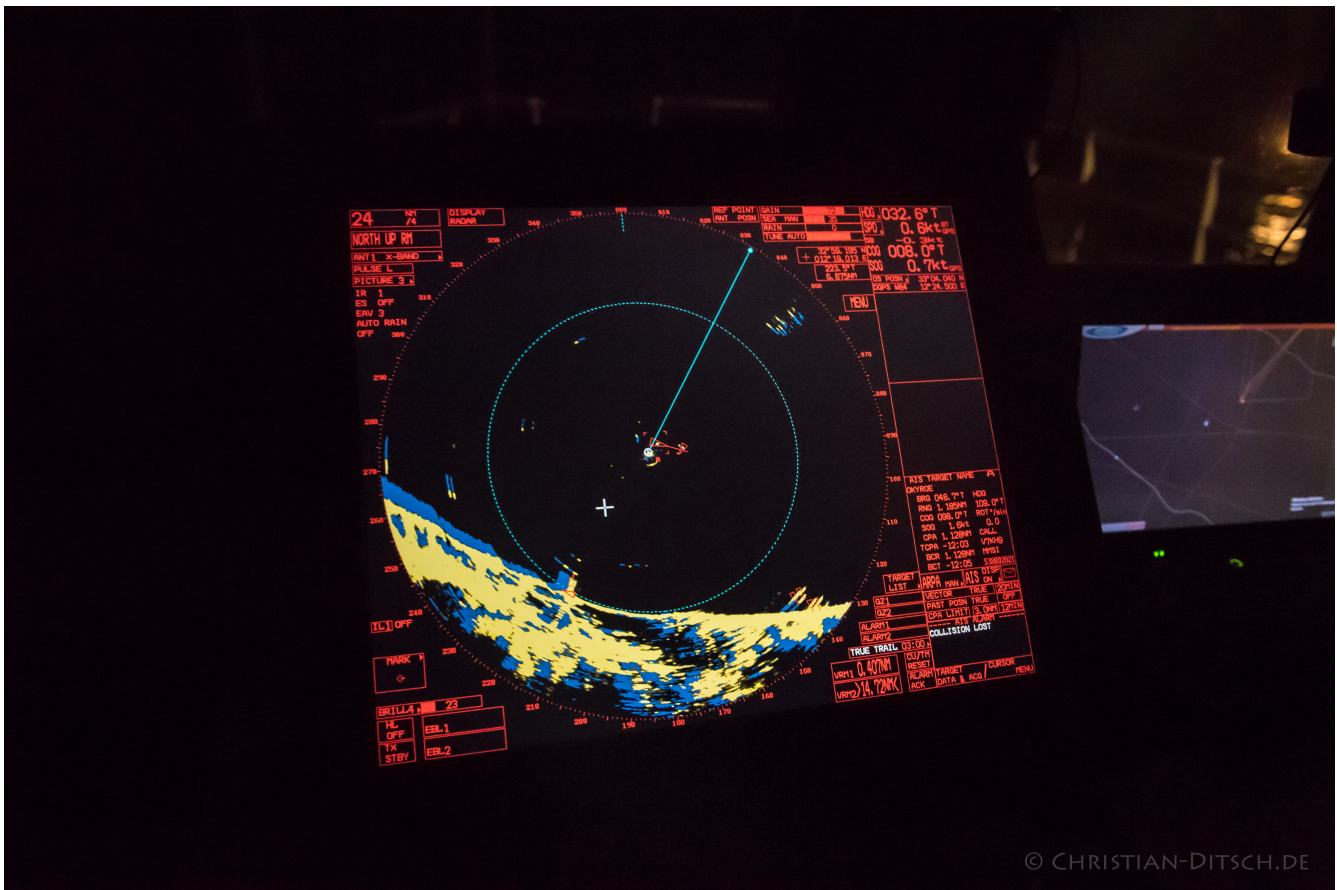


Picture 2: Libyan Coastguards preparing the towing of the overcrowded rubber boat.

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Picture 3: Indication of the rescue position on the radar proving that the Sea-Watch 2 was outside of the 12 nautical miles' zone during the rescue operation.



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Picture 4: People falling overboard the rubber boat, struggling in the sea and desperately trying to reach and hang on to centifloats.



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Picture 5: Rescued guests onboard the Sea-Watch 2 after altercation with Libyan Coastguards.

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Disclaimer

The content and detail within this case study has been obtained from personal testimony and has been checked, as best as is possible, for accuracy by the author and the charity at the time of writing. All quotes, pictures and diagrams have been acknowledged where able and any omissions or factual inaccuracies may be alerted by writing to: enquiries@humanrightsatsea.org. The opinions, perspectives and comments are those of the author.

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Human Rights at Sea

Human Rights at Sea is a Registered Charity in England and Wales No. 1161673. The organisation has been independently developed for the benefit of the international community for matters and issues concerning human rights in the maritime environment. Its aim is to explicitly raise awareness, implementation and accountability of human rights provisions throughout the maritime environment especially where they are currently absent, ignored or being abused.

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