



PRESS STATEMENT

JUGEND RETTET: Parallels between seizures of the rescue ships Open Arms and IUVENTA

Berlin, 21.03.2018 Jugend Rettet is devastated by the actions of the Italian authorities and recognizes similarities between the confiscation of the rescue vessel of Proactiva Open Arms and the confiscation of IUVENTA.

According to Italian media, the seizure of the vessel was carried upon instruction by the prosecutor Carmelo Zuccaro. Zuccaro, who already was initiating several attempts of defamation against civil sea rescue organizations last year in public statements, was never able to provide evidence for an allegedly cooperation between SAR NGOs and Libyan smugglers, but had to withdraw his statements.

"Not only since the seizure of our own rescue vessel, we witness a public campaign of criminalization against the Search-And-Rescue organizations operating in the central Mediterranean Sea. Therefore, looking at the seizure of yet another ship, it is difficult not to draw parallels to our own case." said Philipp Külker, Press Officer of Jugend Rettet, on Wednesday. Külker continued: "We are currently preparing for our hearing at the Court of Cassation in Rome on April 23, in which, according to our lawyers and also to estimates of numerous external experts the facts are clearly in favour for a release of the IUVENTA. Having to witness the seizure of another ship at this moment, is quite alarming."

The Spanish rescue ship had been threatened by the so-called Libyan Coast Guard during the rescue of more than 200 persons from distress at sea last Thursday and subsequently refused to transfer the people to a vessel of the Libyan Coast Guard. Thereafter, the Open Arms was assigned to the port of Pozzallo, Sicily, where it was confiscated late Sunday evening.

"The request to transfer the already rescued people from aboard the Open Arms to a Libyan ship, thereby contributing to a repatriation to Libya, is irresponsible. The crew would thereby contribute to a refoulement of migrants to an insecure third country. The captain of the Open Arms could not comply for reasons of humanitarian law, the Non-Refoulement Principle and a ruling by the European Court for Human Rights (ECHR)"¹ Kai Kaltegärtner, former captain of the Iuventa, said.

Jugend Rettet also sees this confirmed in a recent report by the Research Service of the German Federal Parliament, which states in terms of the recessions: "It does not depend on the "how" of the rejection but on its consequences alone. If a person has a reasonable fear of being persecuted in the country of destination, a state may not, in any way - either by active action or by omission - make a denial or refoulement or let it happen." This means, that no vessel outside Libyan territorial waters may transfer any rescued person that aims to seek asylum in Europe to a vessel of the Libyan Coast Guard, no matter the order from the MRCC Rome (Maritime Rescue Coordination Center).

According to these assessments, and with a view to the always professional work of the Spanish NGO, Jugend Rettet is sure that the allegations made will prove as unfounded as those against their own organisation.

¹ "In the case, Hirsi Jamaa and Others v. Italy, the Court considered the plight of 24 people from Somalia and Eritrea who were among more than 200 people intercepted at sea by Italian authorities in 2009 and forced to return to Libya, their point of departure. The practice violated international obligations to not return individuals to countries where they could be at risk of human rights abuses." (<https://www.amnesty.org/en/latest/news/2012/02/italy-historic-european-court-judgment-upholds-migrants-rights/>)