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SAR Incidents Involving Migrants

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This page provides guidance and points for consideration when dealing with SAR incidents where migrants may be involved.

Related Links

Personal Data

Background

HM Coastguard is working closely with the Department for Transport and UK Border Force (UKBF) to identify and react to potential maritime routes that migrants from mainland Europe try to exploit. These attempts may be opportunistic or organised.

HMCG is actively engaged with Law Enforcement organisations nationally to support, consider and mitigate operational processes against the growing migrant activity within the English Channel and to a lesser extent the South Western Approaches.

The UKBF advice on the legal situation regarding landing of illegal Migrants is that Legislation applies to carriers (sea and air – not trains) and that...:

Under UK legislation as the owners, agents or operators of a ship or aircraft they may become liable for a charge of £2,000 for every non EU/EEA/Swiss passenger arriving in the UK without:

- A valid "immigration document" which satisfactorily establishes their identity and nationality or citizenship. and,
- If the person requires a visa, a visa of the required kind

There is no legislation regarding SAR, but UKBF would not be wishing or trying to pursue a charge against a rescue service. It should be noted that at the start of any SAR activity it is highly unlikely that there will be any awareness by the units on scene as to the legal status of the persons on-board the casualty vessel.

Primary Objective

The primary objective for HM Coastguard and our supporting Declared Assets, such as the RNLI, is Search and Rescue (SAR). As such it is imperative that processes are in place to support the seamless response to the SAR mission and to consider the wider impact of that response for both staff and any criminal investigation that may be running in parallel to the SAR incident.

Intelligence

Information suggests that incidents involving large numbers of Migrants crossing the sea from Europe is currently moderate to high. The most common method of illegal entry into the UK at this time is by persons concealing themselves within road vehicles. However, there has recently been a sharp increase in the use of small craft (RHIBS, tenders etc.) being used to facilitate people-smuggling into the UK. In the last two months of 2018 over 200 illegal migrants were picked up in the English Channel or located on the shoreline after completing such a journey.

Risk Assessment

HM Coastguard, through the JMCS, consider the Risk Assessment for migrant activity on a day to day basis in conjunction with advice from Border Force, Police, National Crime Agency and the National Maritime Information Centre. Any newly identified threat is disseminated immediately to HMCG staff and the appropriate Declared Facility verbally or by email.

Current UK Risk Areas

The current identified High Risk areas of coastline are assessed as being from the Solent to Southwold, within which the Sussex and Kent coasts are considered Very High.

A significant risk has also been identified of migrant sailings from North West France to the Channel Islands given their proximity to Cherbourg.

Possible Illnesses/Medical Conditions

FRONTEX have confirmed that the following illnesses/medical conditions have been identified amongst migrants within Mediterranean operations: Scabies, Sunburn, Dehydration and Vomiting.

Incident Notification

Incidents involving migrants may be reported from shore, by passing ships or by direct call from a mother-boat or people-smuggling vessel in difficulty. Calls may come via recognised maritime communications or from 999 or other telephone calls using mobile or satellite telephones.

It should be remembered that all calls received to HMCG from external sources may contain information / intelligence that not only supports the operational SAR response but also post incident criminal investigation. As such, detailed entries (e.g. telephone numbers of persons on board vessels or shore contacts) should be made within the ViSION incident narrative and passed to the JMSC and/or appropriate law enforcement agency.

Suspicious Activity

See [[HYPERLINK "https://mcga.sharepoint.com/sites/CIP-OpDetail/SitePages/Joint%20Maritime%20Security%20Centre%20\(JMSC\).aspx?csf=1&web=1&e=0tNZAI&cid=fdc0e44d-583e-4ab6-a99c-815c267f2c65" \t "_blank" \o](https://mcga.sharepoint.com/sites/CIP-OpDetail/SitePages/Joint%20Maritime%20Security%20Centre%20(JMSC).aspx?csf=1&web=1&e=0tNZAI&cid=fdc0e44d-583e-4ab6-a99c-815c267f2c65) "https://mcga.sharepoint.com/sites/CIP-OpDetail/SitePages/Joint%20Maritime%20Security%20Centre%20(JMSC).aspx?csf=1&web=1&e=0tNZAI&cid=fdc0e44d-583e-4ab6-a99c-815c267f2c65"] for examples of activity indicators that can be considered suspicious and should be reported to the JMSC.

Incident Response

Key Principles

- The SAR response will be conducted in accordance with IAMSAR and UK protocols

- To protect the safety and security of Search and Rescue Units (SRU) crews and/or rescue team members
- To maintain effective communication links with law enforcement agencies throughout the incident
- Persons conducting SAR are not exposed to more risk than circumstances may require
- Where possible, no Migrants or persons suspected of people-smuggling are landed without police and/or UKBF attendance at the landing place (or rescue location for a coast rescue) unless immediate medical attention is required or if the safety of the SRU crew or local conditions dictate otherwise, in which case the Coxswain/Helm/Commander of the SRU retains the right to decide the point of landing
- Coastal SAR will be executed in the normal manner

Intent

To conduct the rescue of persons in distress at sea whilst being aware of the need to manage any unusual or additional aspects by virtue of Migrants being involved.

Desired Outcome

The two foremost desired outcomes are to:

1. Ensure the safety of the SRU personnel.
2. Ensure the security and safety of the casualties

Additionally, where practical, for SRUs to:

- Facilitate the landing and handover of the casualties into the control of the UKBF and the Police

Specific considerations

Where possible the response to Migrant incidents will be part of standard SAR procedures. However, the following considerations should be taken into account:

- The most recent security and threat assessment
- Unusual behaviour from casualties due to their circumstances

- There may be persons who have undertaken illegal activity on board (ie who may have been aiding and abetting illegal entry into the UK)
- There is a requirement for close cooperation between HM Coastguard, SRUs at sea, police services and the UK Border Force
- Normal communications methods will be used during operations. There may be a need to use discreet communications e.g. satellite or mobile telephones, although it is recognised that not all SRUs will be equipped for this
- Where there is a reason to suspect that Migrants may be involved either afloat or on the UK Coastline the Police and the UK Border Force must be informed at the earliest opportunity

Logistics

Migrant survivors should normally be managed and controlled as any other casualty once on board the SRU or on the Coast and then these casualties will normally be delivered to an agreed landing place where police and/or UKBF can take control.

Given the circumstances of these incidents it may be prudent to request that the SRU 'stands off' and awaits an aviation resource that can remotely examine conditions on board the casualty vessel prior to the SAR asset going alongside.

Medical assistance may be required to be placed aboard SRUs or at the landing point as normal.

When shore resources are tasked, it is advised they do not to use blue lights or sirens in the approach to, or at, the landing point to facilitate an orderly and safe landing of the casualties.

The SRU should not be used as a detention, quarantine or processing location. These arrangements should be made by the UKBF, Police or Coordinating Authority.

SRU Coxswains/Helms/Commanders or OICs do not have any legal authority to hold or detain any casualties nor are they able or obliged to determine the legal or political status of casualties.

In the case of SRUs operating in waters of a neighbouring jurisdiction, for example a UK SRU in French waters, the SRU is understood to be operating within its obligations under SAR conventions should it deliver casualties ashore to a place of safety within the neighbouring states borders. In the event of a UK SAR asset operating in other SRR, the designated point of landing would be agreed between coordinating authorities, as is current practice.

Declared Asset Response

Any declared assets responding are to stand off from the vessel in distress until a safety assessment has been conducted. If available this assessment should be conducted by the air asset. This will also avoid a migrant surge and potential capsize.

If migrants or their vessel are clearly at risk, unit(s) should take appropriate action i.a.w. normal SOLAS guidance

Note:

Evidence from previous incidents in the Mediterranean have identified that the crew and passengers on board migrant vessels may react to interdiction or rescue in a manner which places them in distress. This includes incidents where crews suspect they have been identified by CG or security aircraft. As such, the very act of visually identification of a possible migrant vessel by SAR aircraft creates a situation of potential distress within that vessel; this potential distress cannot be resolved until all passengers and crew are safely transferred to rescue or security vessels.

It is therefore appropriate for SAR aircraft to remain on-task and continue to support other units from the moment the aircraft is seen by the vessel to the completion of the interdiction and rescue.

If migrants or their vessel at no immediate risk, unit(s) should:

- circle migrant vessel to assess and obtain full picture of situation before engaging
- approach from the stern of migrant vessel to avoid onboard movement and possible capsize

Where possible, video footage of the migrants in their vessel or in the water should be taken to confirm or deny migrant stories. This footage can often

identify the facilitator – usually the helmsman or migrant with the SAT Phone which supports the criminal investigation. This footage is NOT to be released to external media as it may form part of a criminal investigation.

Coxswain should make contact with the coordinating HMCG Operations room to determine as soon as possible the appropriate landing site for those rescued to allow time for the appropriate landside resources to be in place to “meet” the vessel.

As soon as possible an update should be provided by the Coxswain to the HMCG coordinating operations room advising on casualty information – Numbers of persons, possible nationality, pregnant women and children numbers, elderly, sick persons.

Where possible drinking water (sports lid) should be provided.

Towing/Disposal of Migrant Vessel

It is the responsibility of either Border Force or the Police to take control of the migrant vessel at the conclusion of the SAR response.

Operational Oversight

Controllers who normally have operational oversight for the area described above are to be briefed on the existence of this guidance. This underlines the requirement for Controllers to review all incidents within 10 minutes of creation, and where SAR from small vessels is involved a closer monitoring will be required. In the event of incidents that may involve Migrants the Duty Maritime Controller will need to consider whether the circumstances and severity warrant alerting the Maritime Tactical Commander and the Duty Coastal Divisional Officer. Primacy remains with MarOps.

Operational Briefing

The Strategic Commander is responsible for providing a brief for critical or high-profile incidents that involve Migrants. This is to be briefed to the Duty Operations Director who will advise on further distribution.

The Commander should consider teleconferences including Maritime Tactical Commanders/ ARCC Controllers, SMC, JMSC and other agencies involved (i.e. Border Force, Police, and foreign SAR agencies).

All notes and information regarding the incident should be attached to the incident in ViSION. Multiple related incidents should be merged and all NICE recordings tagged to enable subsequent investigations. As this is often time critical, this should be done as soon as practicable during or immediately after the incident.

Where appropriate post incident or based on intelligence, the appropriate stations should be advised of current intelligence and any additional VTM observational requirements. All suspicious activity should be reported to JMSC and the Maritime Tactical Commander.

Media Strategy

Media interest in an incident involving Migrants is likely to be intense and escalate rapidly. All organisations involved (MCA (HMCG), UKBF, RNLI, Police, Bristow Helicopters) must ensure that their respective media teams are briefed and ready to provide a coordinated media response. This response should be appropriate to the needs of all parties and should not impinge on any organisations freedom to respond appropriately.

Government lines to take refer to those who are making the journey as 'Migrants,' and those who have been proved to be living here (UK) without the relevant permissions as 'illegal immigrants.

Should the media make contact following a suspected incident the agreed media response is as follows;

"UK Coastguard is committed to safeguarding life around the seas and coastal areas of this country. We are only concerned with preservation of life, rescuing those in trouble and making sure they are brought safely back to shore, where they will be handed over to the relevant partner emergency services or authorities. We continue to ask people to call 999 and ask for the Coastguard if they see anyone in trouble".

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