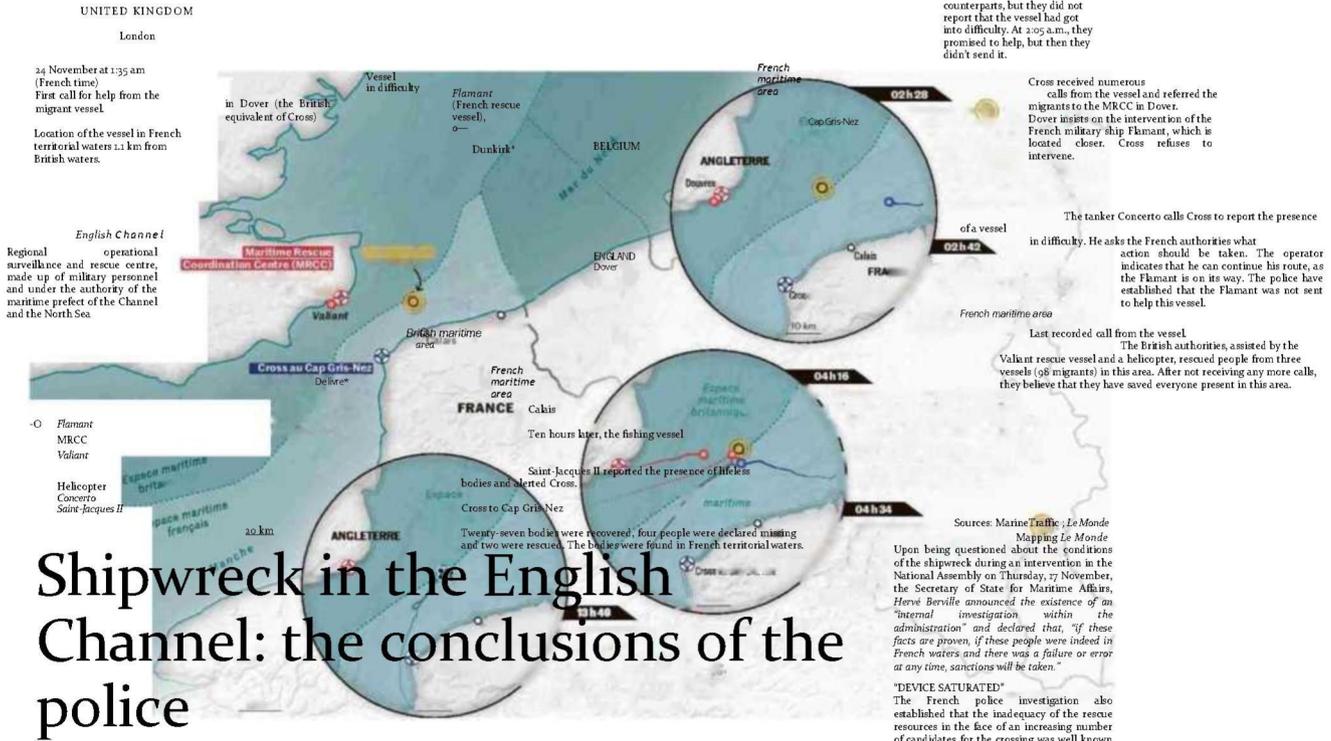


**IMMIGRATION**  
**Chronology of the shipwreck**  
**of 24 November 2021**

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# Shipwreck in the English Channel: the conclusions of the police

**INVESTIGATION**

**L** Could French rescuers be held criminally liable for the drowning of migrants in the English Channel? This is the theory that is being seriously considered by the police, who are investigating the circumstances of the sinking of a migrant vessel which left at least twenty-seven people dead on 24 November 2021, according to a summary note written at the end of ten months of investigation into this tragedy, of which *Le Monde* has become aware.

In this document dated 14 October, the soldiers of the research section of the maritime gendarmerie of Cherbourg (English Channel) underline the behavior of the regional operational centre of surveillance and rescue (Cross) of Gris-Nez in the Pas-de-Calais, which is responsible for organising the rescue of vessels in difficulty during the crossing to England. They recommend "further investigations" to shed light on the "facts which could be classified as criminal, in the context of a failure to assist persons in danger".

The failures on the part of the French rescuers are glaringly apparent when compared with the actions taken by their British counterparts on the evening of the tragedy. In their summary, the French police note that, after several requests for assistance made by the vessel to the rescue services of the two countries, "the vessel is located on the French side at 2:05 a.m.". However, "no French means of rescue will be deployed to assist the vessel (...), despite numerous distress calls having been received from this vessel".

At 2:08 a.m., when the vessel was located drifting in English waters and the British rescue services were informed, the French police were surprised that the French rescue centre "never" told its counterparts across the English Channel that "this vessel was in

difficulty [nor that it had] requested help and was waiting for a rescue vessel that had been promised since [2:05 a.m.]".

In their summary note on the 2021 tragedy, investigators refer to the "failure to assist persons in danger", calling into question the actions of the French rescue services.

On the other hand, they emphasise the responsiveness of the British, who, "as soon as Cross Gris-Nez received information that a migrant vessel was close to English waters, they alerted the Border Force", the authority responsible for border control, and "rapidly engaged" their patrol vessel, the *Valant*. At the same time, British rescue services broadcast a mayday, a signal calling for assistance to a vessel whose passengers are in mortal danger. "No vessels responded to this distress call, despite several broadcasts," the investigators noted.

**"SCREAMS AND CRYING"**  
 Above all, the British rescuers "insistently and repeatedly" asked the French to send the French patrol vessel *Flamant*, which was located much closer to the "sinking" vessel than the *Valant*, which was still forty-five minutes away at the time. "The Cross operator refused to call him in, arguing that he was busy on another case," noted the investigators, who struggled to understand this decision, since the study of the radio demonstrated that the *Flamant* was "not engaged in a vital mission" at that time. They also question the reasons why "the Cross operator repeatedly told" the migrants that he had sent a rescue vessel, when this information "would turn out to be inaccurate".

One year after the tragedy, the French police still have many unanswered questions. Why did Cross not engage the rescue resources? Did they deliberately wait until the vessel had passed to the English side? Why did they refuse to get the *Flamant* involved? Who made this decision? So many questions are recorded in the summary, which they consider "important to answer in order to

**"IF THESE PEOPLE WERE IN FRENCH WATERS AND THERE WAS A BREACH AT ANY TIME, SANCTIONS WILL BE TAKEN"**

HERVE BERVILLE  
 Secretary of State for Maritime Affairs

determine the possible responsibilities". It is now up to the Paris prosecutor's office to decide what to do with these discoveries: to broaden the investigation by the investigating judge already involved or to open new proceedings.

During their interviews with investigators, the Cross operators justified their actions by claiming that they receive numerous calls for help from migrants who are not really in danger, but are instead wishing to be "escorted" into British waters. The French police have challenged this argument and note that, on 24 November while the vessel was still in French waters, "four calls from the vessel reached Cross" during which "screams and cries were heard". They insist on emphasising a detail that is far from trivial: no engine noise can be heard behind the voices of the passengers in the vessel. This fact should constitute "essential information for an operator", since "it automatically demonstrates a dangerous situation".

The French police also regret the unwillingness of the Gris-Nez Cross during their investigations, in particular that of its director, who refused "to communicate the contact details of the operators with a view to hearing them". They also challenge the conclusions of the report that the latter submitted in March to the maritime prefect, in which it offers the assurance that "all of the operations of 24 November 2021 were handled in accordance with the procedures" and that "it is inaccurate to state that the French and British rescue services (...) did nothing and passed the buck". "This report, which is the sole responsibility of its author, does not reflect the reality of what we have observed," the investigators believe.

In their summary, the French police also mention the "inappropriate behavior of the staff at Cross, such as the pseudonym used by the assistant director of the centre and discovered in the service's tablets: "Super Migrant".

The vessel crossed to the other side of the maritime border... The French rescue services (Cross) informed their British counterparts, but they did not report that the vessel had got into difficulty. At 2:05 a.m. they promised to help, but then they didn't send it.

Cross received numerous calls from the vessel and referred the migrants to the MRCC in Dover. Dover insists on the intervention of the French military ship *Flamant*, which is located closer. Cross refuses to intervene.

The tanker *Concerto* calls Cross to report the presence in difficulty. He asks the French authorities what actions should be taken. The operator indicates that he can continue his route, as the *Flamant* is on its way. The police have established that the *Flamant* was not sent to help this vessel.

Last recorded call from the vessel. The British authorities, assisted by the *Valant* rescue vessel and a helicopter, rescued people from three vessels (98 migrants) in this area. After not receiving any more calls, they believe that they have saved everyone present in this area.

Sources: MarineTraffic; *Le Monde* Mapping *Le Monde*

Upon being questioned about the conditions of the shipwreck during an intervention in the National Assembly on Thursday, 17 November, the Secretary of State for Maritime Affairs, Herve Berville announced the existence of an "internal investigation within the administration" and declared that, "if these facts are proven, if these people were indeed in French waters and there was a failure or error at any time, sanctions will be taken".

**"DEVICE SATURATED"**  
 The French police investigation also established that the inadequacy of the rescue resources in the face of an increasing number of candidates for the crossing was well known to the local authorities and also at the highest level of the State. Proof of this can be found in this report from the maritime prefect of the English Channel and the North Sea submitted to the General Secretariat for Maritime Affairs, placed directly under the authority of the Prime Minister at the time, Jean Castex. Barely six weeks before the sinking of the vessel, on 15 October 2021, the prefect was concerned about "the more than tense situation in terms of human and material resources allocated to the rescue of migrants trying to make the crossing", and mentioned "increasingly frequent situations in which the rescue system was totally saturated and the available resources at sea were totally overwhelmed", according to the investigators' report.

Among the most eloquent episodes, the maritime prefect cites the day of 20 October 2021. On that day, 350 shipwrecked people were rescued, without any deaths. This is a "miraculous" assessment in view of the material conditions of the rescue services, according to the prefect, who warns: "The probability of a large-scale maritime rescue in the English Channel was becoming increasingly high." This sadly prophetic report concludes with a request for "reinforcement of the Gris-Nez Cross teams and the units at sea so as to be able to cope with large-scale rescues". Upon being asked about the existence of this report, the General Secretariat for Maritime Affairs did not respond.

A reinforcement of human and material resources for the rescue services in the English Channel has indeed taken place. However, this only occurred the day after the tragedy of 24 November. ■

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