

The background of the slide is a photograph of a fleet of ships, likely maritime patrol or rescue vessels, sailing on a dark blue sea. The sky is filled with dramatic, swirling white and grey clouds, with a bright light source visible near the horizon, creating a hazy glow. The ships are white with dark hulls and are arranged in a line across the middle ground. The overall mood is serious and urgent.

Proposal on Complementary Regulations related to Rescuing Refugees at Sea.

2016 The IMO Model Assembly

Presented by Team –
International Humanity Advisor



Contents

01

Introduction

Current issue and problem relating to regulation.

02

Complementary #1

Related to criteria that failing to render assistance.

03

Complementary #2

Compensation to those who involve in rescue mission.

04

Complementary #3

Mental healthcare for Seafarers' Trauma.

05

Conclusion

Conclusion and summary of this presentation.

Introduction

**Current issue and problem
relating to regulation.**

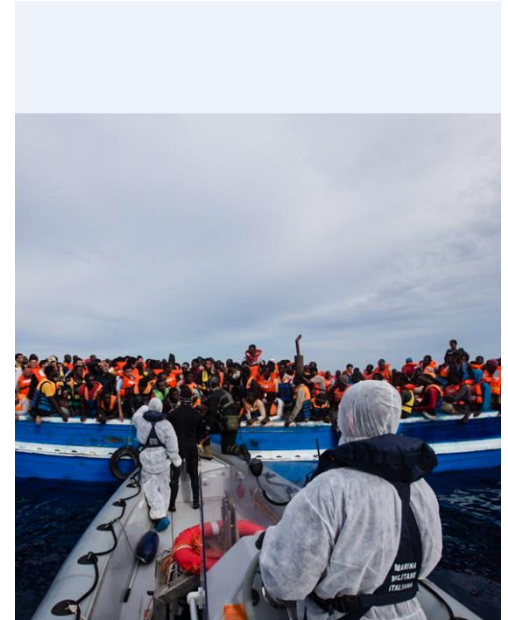


Humanity crisis at sea

4



Measures of IMO



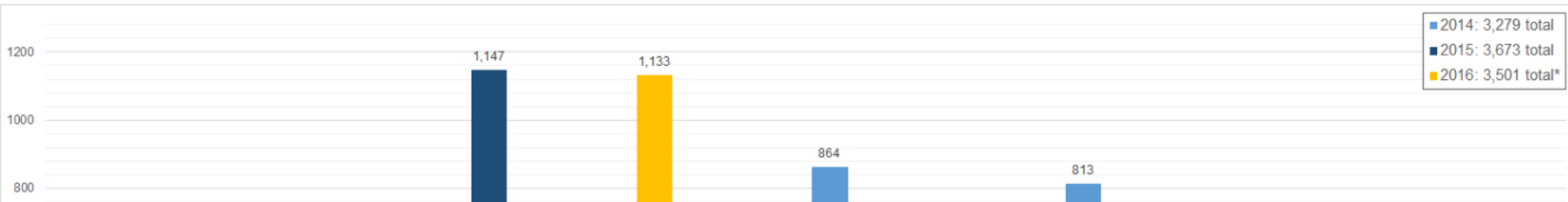
“It has reached about 242,179 marine migrants and sea refugees from across the Mediterranean Seas.”

IOM Reports(2016)

Mediterranean Sea

Recorded deaths in the Mediterranean by month, 2014 - 2016

5



For our topic today, we are **focused on refugees** who fled from conflict or persecution.



**“Our message is blunt:
Migrants are dying who need not.”**
General William Lacy Swing, IOM Director(2016)

Correlation with SDGs Goal

6



Cooperation between organizations

7



Looking at this situation, our team suggest to propose of a complementary suggestions and guidelines that applies to regulations, responsible groups, shipmasters and seafarers.

Our aim is to encourage and facilitate people in the process of helping the refugees as well as the saviour.

Complementary #1

**Related to criteria that failing
to render assistance.**



Search and Rescue : Merchant vessel

The merchant Vessel **ranks second** for the number of rescue missions, actually outnumbering the coastguard.

There were **1,300 merchant** ships were diverted to provide first aid to **42,000 people** in 2014 and **over 15,200** in 2015.

The current situation in the Mediterranean Sea is also an immense challenge for the merchant shipping fleet and therewith also for the seafarers.



SOLAS Chapter V - Safety of navigation

Regulation 33

Distress messages: obligations and procedures

“... . If the ship receiving the distress alert is unable or, in the special circumstances of the case, considers it unreasonable or unnecessary to proceed to their assistance, the master must enter in the log-book the reason for failing to proceed to the assistance of the persons in distress, taking into account the recommendation of the Organization to inform the appropriate search and rescue service accordingly.”

This guideline will be added in the
Merchant Ship Search & Rescue Manual (MERSAR)
under Chapter 3- Action by assisting ship,
published by IMO.

Safety condition of ship.

Vessel carrying
Dangerous goods.

The **stability** of his ship is
threatened by refugees taking
aboard.

We propose to **provide a guideline** on standard
judgment for ship that is unable to render assistance.

Untrained ship crew

Ship crew is not prepared and
untrained to receive **large**
scale of refugee on board.

refugee's crime

There is a potential security
threat posed to the crew.
As an example, the refugee
refuses to give their weapon
before taking onboard.

Complementary #2

Related to various losses



Incident : MV Tampa



*In August 2001, the Howard Government of Australia **refused** permission for the Norwegian freighter MV Tampa, carrying 438 rescued refugees to enter Australian waters.*

When the Tampa entered Australian water, the Prime Minister ordered the ship be boarded by Australian special forces.

*This brought censure from the government of Norway, which said the Australian government **failed to meet its obligations** to distressed mariners under international law at the United Nations.*



Incident : MV Tampa

15

Amendment

“The government responsible for the search and rescue region take primary responsibility to ensure the survivors delivered to a place of safety.”
(SOLAS & SAR)

But

Compensation for the loss is still **insufficient**.

Problem of rescuing refugee
Related to various losses.

16

Government

The financial burden by
accepting the refugees

Shipping company

Economic losses due to
the delay by
rescuing refugees



“Compensating”

Government

1. IMO and UNHCR should support the government by paying the proper amount.

<Example : EU pays € 6000 per 1 refugee to European countries.>

Shipping company and P&I

1. The IMO recommends that all vessels sailing in the Mediterranean sea are mandatory to apply refugee insurance.
2. If insurance company have no insurance coverage for refugees at sea, it is recommended to create a refugee-covering insurance.

Complementary #3

Related to Seafarer's trauma



Problem of rescuing refugee Related to Seafarer's trauma.

19



The Mission to Seafarers
Caring for seafarers around the world

“The efforts and strain placed on seafarers who do **the right thing** to rescue refugees at sea is **often ignored**. Seafarers are proud that they can help these [refugees] but **they can't rely on receiving help themselves**”

-The Revd Canon Ken Peters



Therefore, we believe that
Traumatic experience faced by seafarer should be considered as the
strong basis for not to assist the rescuing mission.

Related to Seafarer's trauma.

1.

Mental healthcare are needed for seafarer that had experience these kind of trauma while saving the refugees at sea.

2.

So we propose that **IMO & ILO** should **cooperate** to consider the seafarer's trauma after rescuing refugees at sea.



Therefore in response to this, we suggest an addition of guideline under regulation 4.3-Health and safety protection and accident prevention under Maritime Labour Convention 2006.

Conclusion

Conclusion & Summary of the Presentation



Conclusion

22

1

Early stages of saving refugees.

We must know
the condition of our ship
before we render assistance
to ensure safety of both sides.

Complementary #1

3

Lastly, for the next rescue mission.

Treatment for seafarers due to
the trauma or sickness after
saving refugees at sea.

Complementary #3

2

Secondly after saving refugees.

Compensations given to responsible
government and shipping company
to encourage efforts of saving lives
and as token of appreciation.

Complementary #2

Merchant Ship Search and Rescue Manual (MERSAR)

Chapter 3.2 Immediate action

3.2.1 The following immediate action should be taken by each ship on receipt of a distress message;

3.2.2 The ship or coast station in control of distress traffic should establish contact with the responsible area RCC

3.2.3 Ships which are able to communicate on the distress frequencies 500 kHz,



Proposal of adding Guideline

3.2.4 Guideline for large scale rescue - Safety of person in distress & ship crews

- (a) Safety condition of ship.
- (b) Safety of life on board
- (c) There is strong evidence that the persons show potential to do crime on board.
- (d) Ship crew isn't prepared and trained to receive large scale of person on board.

Government

1. IMO and UNHCR should support the government by paying the proper amount.

<Example : EU pays € 6000 per 1 refugee to European countries.>

Shipping company and P&I

1. The IMO recommends that all vessels sailing in the Mediterranean sea are mandatory to apply refugee insurance.
2. If insurance company have no insurance coverage for refugees at sea, it is recommended to create a refugee-covering insurance.

Maritime Labour Convention (MLC) ,2006 Guideline B4.3.1 – Paragraph 2 and Paragraph 4

2. The competent authority should ensure that the national guidelines for the management of occupational safety and health address the following matters, in particular: (a) ~ (r)
4. In addition, the competent authority should ensure that the implications for health and safety are taken into account, particularly in the following areas: (a) ~ (c)



Proposal of adding Guideline

Paragraph 2 : (s) Refugees Saving and trauma effects

Paragraph 4 : (d) Refugees Saving and trauma effects

NCSR

Sub-committee on Navigation,
Communication and Search and Rescue

We will suggest all these
complementary to the
NCSR sub-committee.

We hope that all these proposals
will be discussed at the
next **MSC** meeting.



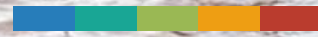
A conceptual image showing a globe of the Earth being held up by several hands of different skin tones. The background is a clear blue sky with some light clouds. The entire image has a semi-transparent blue overlay.

“

But if the world measures a refugee according to the worst story, we will always excuse human suffering, saying it is not yet as bad as someone else's.

”

Victoria Armour-Hileman



Thank you

Appendix

1. Picture dead baby by <http://fgsaraiva.blogspot.kr/2015/09/o-naufragio-da-humanidade.html>
2. Picture rescue by <https://valhallamovement.com/wealthy-businessman-buys-8-million-rescue-boat-and-saves-thousands-of-migrants-in-makeshift-vessels/>
3. Picture SDGs goal by <https://sustainabledevelopment.un.org/focussdgs.html>
4. Organization logo by each homepages
5. Merchant vessel rescue picture by
http://caughtredhanded.ideasoneurope.eu/2015/12/14/eu-refugee-crisis-rescuing-migrants-sea/#_ftn1 <EU Refugee Crisis: Who is Rescuing Migrants at Sea?>
<http://worldmaritimeneews.com/archives/93365/bbc-iceland-helps-in-syrian-refugees-rescue-operation/> 사진-1
6. MV Tampa picture by <https://sustainabledevelopment.un.org/focussdgs.html>
7. MSC committee picture by <https://www.flickr.com/photos/imo-un/26855057512>

Appendix

8. Earth and hands picture by <http://comdev.osu.edu/events/global-climate-change-update-2016>
9. IOM reports(2016) source by <https://www.iom.int/news/mediterranean-migrant-arrivals-2016-242179-deaths-2977>
10. General William Lacy Swing, IOM Director(2016) source by <https://www.iom.int/statements/iom-releases-new-data-migrant-fatalities-worldwide-almost-40000-2000>
11. Article of MV Tampa source by https://en.wikipedia.org/wiki/Tampa_affair
12. Quotes Victoria Armour-Hileman source by <http://www.goodreads.com/quotes/1544001-but-if-the-world-measures-a-refugee-according-to-the>
13. Article of merchant vessel on rescuing source by <http://caughtredhanded.ideasoneurope.eu/2015/12/14/eu-refugee-crisis-rescuing-migrants-sea/>