



ASSISTANT SECRETARY GENERAL FOR OPERATIONS
LE SECRÉTAIRE GÉNÉRAL ADJOINT POUR LES OPÉRATIONS

27 March 2012

OPS(2012)0133

Dear Ms Strik,

Thank you for your letter of 10 February 2012, in which you ask for further detailed information on specific points.

1. Regarding the location of, and actions taken by, the ITS ETNA operating under NATO command at the period concerned, we have received the following information from the Italian authorities.

ETNA received only one distress call on 26th March 2011 and performed a Search and Rescue operation saving 243 people on a boat. On 27th March 2011 at the moment of the MRCC fax to which your letter refers the ITS ETNA was 155 nautical miles from the position reported by the MRCC fax. On the following day, the ship conducted various operational activities (flight operations included) 120/150 nautical miles away from the position reported by the MRCC fax. The helicopter on board never established contact with boats in difficulties on the sea and never released food or material to boats with people on board. In general, no Italian helicopter operated in rescue or in support of boats in need.

As for any other Italian ship, on 27th March at the moment of the MRCC fax, the closest Italian ship to the distress point was ITS Borsini at 37 nautical miles away from the position reported by the distress call.

Finally, the only other Italian ship operating in the area was ITS Garibaldi - 120/150 nautical miles away from the MRCC fax point.

2. Regarding the location of, and actions taken by, the ESPS MENDEZ NUNEZ operating under NATO command at the period concerned, the Spanish delegation in NATO provided the following information, which was separately sent to you by the Minister of National Defence of Spain in response to your letter of 10 February 2012:



Regarding the reception of the 27 March 2011 initial notification from the Maritime Rescue Coordination Centre Rome of a small boat probably in difficulty, the Spanish authorities confirm that neither a fax nor any other kind of communication was received by the Spanish frigate MENDEZ NUNEZ related to this issue or events referenced in your letter. They add that, on the 26th and 27th of March, the ship participated in two other search and rescue operations.

With regard to the reported sightings of one helicopter, the Spanish authorities confirm that the helicopter of the frigate MENDEZ NUNEZ did not see or make contact with the small boat in question.

Finally, the Spanish authorities reiterate that all Spanish vessels are aware of their relevant obligations under maritime law, including those with respect to rendering assistance to persons or ships in distress, and recall that during Operation Unified Protector the Spanish frigate MENDEZ NUNEZ actively assisted many vessels in distress.

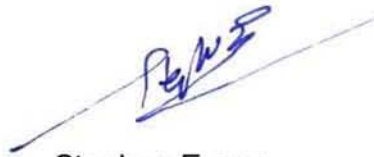
3. In response to your third question, concerning the fax sent to MCHQ Naples by the MRCC Rome on 27 March 2011 and asking if it was passed to all assets involved in the NATO operations in the area of concern, I can confirm that during the period concerned, all information on the possible movement of migrant vessels was systematically and subsequently passed to the NATO units at sea for their maritime situational awareness. In the tragic incident in question, despite the imprecise nature of the request for information contained in the MRCC fax, which was not a formal request for assistance or "distress call", it was forwarded to NATO Task Force units under its operational control.

In addition, it should be noted that during Operation Unified Protector, SHAPE had meetings with the International Organisation for Migration (IOM), United Nations High Commissioner's Office for Refugees (UNHCR) and the International Maritime Organisation (IMO) to better coordinate in terms of migrants at sea. Contact details were exchanged to improve smooth and functional communication. When migrants were spotted, this was notified to both the responsible national coast guard in that particular Search and Rescue (SAR) area as well as the IOM and UNHCR, in order to be better prepared for a possible landing of migrants. This system worked to the satisfaction of the organisations involved.

It is also worth noting that during the entire period of Operation Unified Protector, NATO maritime assets directly aided the rescue of over 600 migrants in distress at sea, including hundreds the day before the MRCC fax. In all cases, NATO warships did everything they could to respond to distress calls and provide help when necessary. In addition, through coordination with national authorities, NATO has indirectly facilitated the rescue of many hundreds more. Commanders of warships under NATO command were, and remain, fully aware of their obligations under the International Law and Law of the Sea and responded appropriately.

I hope these elements answer your questions and remain available should you have further questions.

Yours Sincerely,



Stephen Evans

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