



## PRESS RELEASE

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### **FURTHER STATEMENT ON AQUARIUS**

The decision of the GMA to terminate the Aquarius' permission to operate as a rescue vessel under the Gibraltar flag was far from knee jerk.

It was a totally non-political decision, taken by the Maritime Administrator on the basis of a proper interpretation of all applicable rules. This is a purely administrative process with decisions taken by technical maritime experts in which the Government has or has had no involvement. It is a purely maritime issue which concerns the purpose for which the vessel is certified, compliance with that certification and with instructions given by the Maritime Administrator. The Government was advised of these decisions only after they were taken.

The Chief Minister, the Hon Fabian Picardo QC said, 'I fully support these decisions.

Like most right thinking people, I am concerned and worried about the desperation that is leading people to risk their lives to migrate to European shores. The GSD are wrong to try to play politics with the serious business of the GMA and to call into question the professionalism of the Maritime Administrator.

The GSD are particularly wrong to play politics with immigration. Such actions are usually the populist preserve of right-wing political parties that Gibraltar can do without.

I am a supporter of the work of NGO's, but also a proponent of that work being done in keeping with all applicable international rules.

Ironically, I understand that the laudable agreements made between several EU Member States to allow Aquarius to dock and to distribute those aboard her throughout six different EU jurisdictions has actually have been facilitated by the GMA's decision. If only the GSD had bothered to think things through before posting populist politics statements, they might have been able to work out why for themselves.'

**Ends**

**NOTES TO EDITORS:**



Information on the matters related to the M/V AQUARIUS and the Gibraltar Maritime Administration's Notice of Termination of registration is below:

The AQUARIUS is registered in Germany.  
That is the place of Primary registration.

In 2009 it was registered in Gibraltar as a bareboat registration.  
Retains its Primary registration but this is suspended during the time of bareboat registration (generally two years but subject to extensions).

The effect of the termination (for whatever reason) of the bareboat registration is that the vessel reverts to its primary registry. In this case, AQUARIUS reverts to German flag. At no stage is the vessel left stateless as a result of this decision.

The AQUARIUS is certified as a survey vessel. Since 2016, the vessel has been operated by Medecins Sans Frontieres and SOS Mediterranee as a dedicated rescue vessel pursuant to an agreement with the Italian Coastguard. It has operated under the Maritime Rescue Coordination Centre (MRCC) in Rome.

Following written confirmations from all parties, the GMA allowed the vessel to undertake operations under this agreement. More than 200 rescue operations have been conducted by the AQUARIUS on behalf of the Italian Coastguard.

In June 2018 MRCC Rome informed the GMA that the AQUARIUS would not be considered a rescue vessel. There were also reports that the AQUARIUS would not be guaranteed access to Italian ports in the event of a rescue operation. GMA then informed the operators that, as a result, they could not continue to operate as a rescue vessel until this issue was resolved.

Following media reports that the AQUARIUS was preparing to resume rescue operations the GMA reminded the operators that the vessel could only operate within the limits of its certification as a survey ship and not as a rescue craft.

The operators were also told that not complying with this could lead to the termination of the registration as the vessel would be operating beyond its certification.

Despite the change on support of the search and rescue authorities and the GMA's instructions, the AQUARIUS resumed rescue operations. On 6 August the Gibraltar maritime administrator issued a 'notice of removal' on the vessel's owners.

Under the IMO's International Convention for the Safety of Life at Sea there is an obligation on ships to go to the assistance of vessels in distress.

The International Convention on Maritime Search and Rescue establishes rescue co-ordination centres and outlines operating procedures to be followed in the event of emergencies or alerts and during SAR operations. In circumstances covered by the Conventions, vessels can assist in search and rescue operations regardless of their classification and certification.

This is a different proposition to a vessel operating as a dedicated rescue vessel when it is not certified to do so.