UNHCR's contribution on the SG Report on oceans and the law of the sea "New maritime technologies: challenges and opportunities".

General considerations

UNHCR recently issued its *Legal considerations on the roles and responsibilities of States in relation to rescue at sea, non-refoulement, and access to asylum*. This document briefly summarizes key state obligations under international refugee, human rights, and maritime law, addressing the responsibilities of coastal states, flag states and others in situations where people who may require international protection need to be rescued at sea.

While the use of maritime technology can present an additional opportunity for advancing the protection of persons at sea, it is important that such use remains in line with international law and does not lead to the violation of human rights law and principles.

Specific projects

UNHCR is engaged in a number of initiatives involving the use of technologies in the context of rescue at sea. The 2017 project together with UN Global Pulse on Rescue signatures in the Mediterranean, for example, consists in using data visualization to allows the agencies to quantify people at risk of perishing at sea. It shows how the automated combination of several different types of data can be leveraged to provide a more systematic understanding of the efforts made to save lives at sea.

MENA / Europe

The use of **maritime aerial surveillance assets including drones** to detect boats at sea can be a valuable tool to save lives. However, as currently deployed in the Central Mediterranean, recent research[1] suggests that the use of drones by European authorities is instead contributing to more people being intercepted by Libyan authorities and disembarked in Libya, which is not a place of safety.[2] As has been noted consistently, disembarkation in Libya is routinely followed by detention in appalling conditions. In 2022, at least 24,800 people, including people with international protection needs, were disembarked in Libya.

South Africa

South African authorities use search and rescue satellite technology for safety at sea, coastal and oceans monitoring. Authorities are reportedly working closely with the African Union and search and rescue services has been extended to several countries in the region including Angola, Botswana, Lesotho, DRC, Zimbabwe, Mozambique, Malawi, Zambia, and Swaziland.[3]

The technology is a "satellite-based search and rescue" (SAR) distress-alert detection system consisting of satellites in space and infrastructure to receive signals on the ground. Its main function is to help vessels, aircraft, and people in distress, via the satellite technology, to activate lifesaving

[1] https://www.hrw.org/news/2022/12/12/eu-frontex-complicit-abuse-libya

[2] UNHCR position on the designations of Libya as a safe third country and as a place of safety for the purpose of disembarkation following rescue at sea, https://www.refworld.org/docid/5f1edee24.html

[3] For more details see https://www.fishingindustrynewssa.com/2022/04/28/search-rescue-satellite-technology/; https://www.engineeringnews.co.za/article/how-sa-is-using-spatial-data-technology-for-coastal-and-oceans-monitoring-2022-11-25/rep_id:4136

emergency support. South Africa is a Member State of the International Civil Aviation Organisation (ICAO) and the International Maritime Organisation (IMO). It is also a signatory to the Safety of Life at Sea (SOLAS) Convention.

According to the South African Maritime Safety Authority (SAMSA), the project is a very effective tool that has a massive impact on curbing illegal entry into South Africa. There is a close collaboration with the National Sea Rescue Institute, where the CSIR, in conjunction with the South African Weather service, developed a tool for the rapid calculation of a search area in the event of somebody falling overboard or lost at sea.