

COMUNICATO STAMPA

Registrar of the Court ECHR 043 (2019) 29.01.2019

ECHR grants an interim measure in case concerning the *SeaWatch 3* vessel

Today, a chamber of the European Court of Human Rights decided, by a majority, to grant an interim measure concerning the vessel *SeaWatch 3*, which has 47 migrants on board and is currently anchored outside of Syracuse, Sicily.

The ship has not been allowed to enter the harbour and the applicants complain that they are detained on board without legal basis, suffering inhuman and degrading treatment, with the risk of being returned to Libya without evaluation of their individual situation.

In its decision, the Court did not grant the applicants' requests to be disembarked. It requested the Italian Government "to take all necessary measures, as soon as possible, to provide all the applicants with adequate medical care, food, water and basic supplies as necessary. As far as the 15 unaccompanied minors are concerned, the Government are requested to provide adequate legal assistance (e.g. legal guardianship). The Government are also requested to keep the Court regularly informed of the developments of the applicants' situation."

This interim measure is in force until further notice.

On 25 January 2019 the Court received an urgent request under Rule 39 of the Rules of Court in the context of an application lodged by the captain of the *SeaWatch 3*, the head of the rescue mission as well as by one of the migrants on board. A subsequent request was lodged on 28 January by the 15 unaccompanied minors on board. The applicants requested that all 47 migrants on board, rescued in the Mediterranean, be allowed to go ashore since the situation on board the vessel was precarious and the migrants in poor health.

After the first urgent request the Court asked for further information from the parties, who replied by the deadline of 29 January, midday. The applications have been registered under nos. 5504/19 and 5604/19.

Measures under Rule 39 of the [Rules of Court](#) are adopted in the framework of proceedings before the Court and in no way anticipate subsequent decisions on the admissibility or merits of cases before it. The Court only exceptionally allows requests for interim measures, where, in the absence of such measures, applicants would be exposed to a real risk of irreparable damage. For further information see the [factsheet on interim measures](#).

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