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Immigration and asylum

'Serious failings' during rescue may have contributed to Channel deaths

Cases launched in UK and France over deaths of 27 people amid call for a public inquiry in Britain

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"Serious failings" in a rescue operation may have contributed to the deaths of 27 refugees in the Channel last month, according to lawyers representing bereaved family members.

Calls for a public inquiry to determine whether "acts or omissions" by British agencies resulted in human rights breaches came alongside separate legal cases against UK and French authorities involved in the operation.

On Monday, relatives of two of the men lost at sea have started a legal process in the UK calling for an independent public inquiry to establish the full facts of what happened on the night of 24 November. Meanwhile, Utopia 56, an organisation that supports refugees in northern [France](#), has lodged a complaint in the Paris prosecutor's office.

Hundreds more refugees have made the hazardous sea crossing in the last few days. The BBC [reported](#) that more than 900 people crossed during the weekend.

The maritime expert's report was commissioned by the UK lawyers for relatives of two men known or believed to have died in November's incident, and it comments on potential

problems that night.

Saman Alipour, an Iranian Kurd, has embarked on the legal action on behalf of his brother Sirwan Alipour. Sirwan's body has been identified and the family travelled to Tehran to receive his body on Monday.

The second person involved in the action is Zana Mamand Mohammad, whose brother Twana is believed to have died in the tragedy. Twana's body has not been found.

Mohammad told the Guardian his family paid \$20,000 for Twana's journey. "I want to open this case so this humanitarian disaster does not go unmarked. I need to get justice and I need to find my brother whether he is dead or alive," he said.

Alipour told the Guardian: "Everybody loved Sirwan. He had dreams which could not be achieved in Iran." He said he believed that calls to the emergency services made by his brother and others on the boat were not responded to appropriately by the English and the French.

"I am doing this legal action not for money but because I have lost my only brother. Now I am alone and spending the worst days of my life. I want to protect people's rights," he said.

Maria Thomas, of Duncan Lewis Solicitors, representing the relatives, said: "We have submitted pre-action correspondence to the British government requesting that a public inquiry is established to determine whether the acts or omissions of the British agencies involved in coordinating and executing the search and rescue mission on 24 November resulted in breaches of the European convention on human rights.

"Independent expert evidence obtained on behalf of our clients indicates that there may have been serious failings, which could have contributed to the significant loss of life. We are expecting the government's response by 3 January 2022."

The Utopia 56 complaint has been filed against the maritime prefect of the Channel and the North Sea, the Gris-Nez (Pas-de-Calais) regional operational surveillance and rescue centre and the British coastguard. It refers to manslaughter and the failure to provide assistance at sea

Emmanuel Daoud, the lawyer representing Utopia 56, said: "The victims and their families are owed truth and transparency. We know that as their boat was sinking, the exiles and refugees sought to contact British and French rescue services, who passed the buck. They did not come to the aid of people who were in distress, and from that moment we consider that the question of responsibility - in the criminal sense of the term - has arisen."

A spokesperson for HM Coastguard said of the legal action launched in France: "It is not appropriate for us to comment on the specifics of this legal action. On 24 November, Her Majesty's Coastguard received over 90 alerts from the English Channel area including 999 emergency calls. Every call was answered, assessed and acted upon, including the deployment of search and rescue resources where appropriate. We always have and always will respond to anyone in distress, as we did that day."