

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Amnesty International urges Malta to abide by international obligations in search and rescue operations

Human Rights Council adopts Universal Periodic Review outcome on Malta

Malta has accepted a recommendation to continue its cooperation with neighbouring countries regarding rescue operations at sea,ⁱ and in its response has stated that, as regards to search and rescue, it will continue to abide by its international obligations and to cooperate with neighbouring countries.

Such countries include Libya, where migrants, asylum-seekers and refugees risk grave human rights violations and abuses and where there is no possibility to seek asylum.

In July 2013, Malta was prepared to return to Libya without legal safeguards over 40 Somali nationals, who the day before had been rescued by the Armed Forces of Malta. Their deportation was averted following remonstrations by the European Commission and Maltese civil society, and an injunction by the European Court of Human Rights.

International obligations regarding search and rescue operations include human rights and refugee law obligations. Amnesty International urges Malta to unequivocally guarantee access, in all circumstances, to asylum and protection from removal to a country where there is a real risk of persecution or other serious human rights abuses. Malta must also unequivocally commit to never resorting to push-backs or collective expulsions.

On 11 October 2013, a shipwreck occurred in Malta's search and rescue zone, causing the death of hundreds of asylum-seekers, mostly Syrian families with their children. Although the Armed Forces of Malta rescued many of the survivors, Amnesty International is concerned that poor decisions were made that day which delayed the rescue operation until the boat capsized.

Malta must ensure full accountability and transparency with regard to that incident, including by allowing public scrutiny of the decisions made and policies implemented, in order to ensure that any necessary improvements in search and rescue operations are put in place.

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Malta on 21 March 2014 during its 25th session. Prior to the adoption of the review outcome, Amnesty International delivered the oral statement above.

Public Document

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ⁱ Rec. 102.46 Continue its cooperation with neighbouring countries regarding rescue operations at sea particularly for irregular migrants entering the country (Azerbaijan).