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Malta: Alleged ill-treatment of asylum-seekers must be investigated

Amnesty International is calling for a prompt, thorough and impartial investigation into reports that members of the Maltese armed forces have subjected scores of asylum-seekers and unauthorized migrants to physical assault resulting in numerous injuries.

According to the reports received by Amnesty International, on the morning of 13 January 2005, over 90 inmates of a detention facility for aliens at Safi army barracks conducted a peaceful protest, refusing to re-enter the centre at the end of an exercise period. The inmates, some of whom had apparently been detained for over 18 months, were protesting about the length of their detention; lack of information about the progress of their applications for refugee status or humanitarian protection and, in the case of those whose applications for asylum had already been rejected, lack of information concerning their future.

Eyewitnesses have reported that at around 10 am, after the protestors refused an order to re-enter the barracks, soldiers, dressed in riot gear and armed with batons and shields, charged the peaceful protestors and subjected them to deliberate and gratuitous violence. Photographs taken at the scene lend credence to these reports. It has been claimed that many people were injured, and some 26 were transferred to hospital for treatment. At least one person was observed to have blood gushing from a head wound following the assault and several reportedly suffered fractures: one person was said to be in a "serious" condition.

If these allegations are substantiated, then such ill-treatment would be in clear violation of international treaties and standards ratified by Malta, as well as domestic law. The perpetrators of such human rights violations should be brought to justice and the victims should receive compensation.

Background

Amnesty International has repeatedly expressed concern about the situation of asylum-seekers and unauthorized migrants in Malta and the government's policy of mandatory detention for all asylum-seekers entering the country. It has called on the authorities to ensure that, in line with relevant international standards, asylum-seekers are detained only when a legitimate reason for doing so has been demonstrated in the individual case, only when other measures short of detention will not suffice, and only for a minimal period.

The organization has also expressed concern about severe delays in the decision-making process regarding asylum applications; lack of transparency in the appeals process; frequent failure to keep asylum-seekers properly informed of their rights and the progress of their applications; their frequent lack of access to appropriate legal advice; conditions of detention which fall below international standards, and lack of adequate and appropriate training for members of the armed forces and police, in charge of the daily

running of detention facilities for aliens.

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