

**AMNESTY  
INTERNATIONAL**



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**UN Human Rights Council  
Twenty-fifth session, 3 – 28 March 2014**

**Item 6:  
Consideration of UPR reports**

**MALTA**

Mr. President,

Malta has accepted a recommendation to continue its cooperation with neighbouring countries regarding rescue operations at sea,<sup>1</sup> 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 over 40 Somali nationals, who the day before had been rescued by the Armed Forces of Malta, to Libya without legal safeguards. Their deportation was averted following remonstrations by the European Commission, Maltese civil society, and an injunction by the European Court of Human Rights.

International obligations regarding search and rescue operations include human rights law and refugee law obligations. We urge Malta to unequivocally clarify that it will guarantee, in all circumstances, access 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 clarify that it will never resort to push-backs or collective expulsions.

Mr. President,

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, we are concerned that poor decisions were made that day which delayed the rescue operation until the boat capsized.

We urge Malta to 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 all necessary improvements in search and rescue operations are put in place.

Thank you, Mr. President.

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<sup>1</sup> Rec. 102.46 Continue its cooperation with neighbouring countries regarding rescue operations at sea particularly for irregular migrants entering the country (Azerbaijan).