



“Does the international community know about this, what is happening here? This is what we used to ask each other when we were in prison in Libya.”

Asad, an asylum seeker in Malta

Since May 2009, some 1409 migrants, attempting to reach a place where they could obtain protection or the possibility to live in safety and dignity, were pushed back to Libya.

These actions were widely criticised and held by many to be a violation of international law, as Libya does not have the mechanisms in place to grant protection to those who need it and there is evidence that those returned would be at risk of harm.

“International Migrants Day is a good time to ask ourselves whether we are fully aware of the possible consequences of these actions for the people concerned. We believe that many who see this as a quick solution to the pressures that Malta is facing would think differently if they knew about the treatment that migrants face there,” said JRS Malta Director, Fr Joseph Cassar SJ.

Do They Know? is a collection of testimonies from asylum seekers who were granted protection in Malta, highlighting their experiences of life there. Published by JRS Malta to coincide with International Migrants Day, which is marked today, the testimonies reveal unthinkable hardship many migrants face in Libya, which is almost an obligatory transit country for sub-Saharan Africans fleeing widespread violence and human rights violations in their countries of origin.

JRS Malta believes that returning migrants to Libya, where they cannot obtain effective protection if they need it and where they face a real risk of serious harm, violates international law. We therefore call upon the government to:

- Ensure that all asylum seekers within Malta’s effective jurisdiction are allowed to apply for protection.
- Rescue migrants intercepted by the AFM if they have requested assistance, as otherwise their safety cannot be guaranteed
- Ensure that all those rescued within Malta’s Search and Rescue Area are disembarked at a safe port, where those in search of protection can seek asylum
- Refrain from actions that will result, directly or indirectly, in the return of migrants to a country where they risk suffering serious violations of their fundamental human rights.

“While it is true that migrant boat people attempting the south-north crossing of the Mediterranean are not all necessarily fleeing persecution,” Fr Cassar said, “this does not justify returning anyone to a country where her/his life might be seriously at risk. Malta has an obligation to ensure that the rights of all migrants within its effective jurisdiction are protected, regardless of their legal status.” He also recalled that more than 50% of asylum seekers reaching Malta and Italy last year were granted some form of protection.

Do They Know? is also available online at www.jrsmalta.org/Do%20They%20Know.pdf

Drawing on the reserve of kindness that many people demonstrate, JRS Malta added that “No authentically human attitude would be insensitive to the immense suffering many of our interviewees have experienced or witnessed,” and concluded “Surely, many more people would think differently, if they knew...”



“Il-komunità internazzjonali taf b’dan, x’qiegħed jgħri hawn? Hekk konna nistaqsu lilna nfusna meta konna fil-ħabs il-Libja.”

Asad, raġel li qed ifittex l-asil f’Malta

Minn Mejju 2009, xi 1409 migrant li kienu qed jippruvaw jaslu x’imkien fejn setgħu jiksbu l-protezzjoni jew il-possibilità li jgħixu fis-sigurtà u d-dinjità, reġgħu ttieħdu lura l-Libja.

Dawn l-azzjonijiet għibdu kritika qawwija u kienu meqjusa minn ħafna bħala vjolazzjoni tal-liġi internazzjonali, minħabba li l-Libja m’għandhiex il-mekkanizmi meħtieġa biex tagħti l-protezzjoni li dawk li jeħtiġuha u hemm evidenza li dawk li jintbagħtu lura jistgħu jgarrbu l-moħqrija.

“Il-Jum Internazzjonali tal-Migranti huwa mument tajjeb biex nistaqsu lilna nfusna jekk nafux tassew x’inhuma l-konsegwenzi ta’ dawn l-azzjonijiet għan-nies ikkonċernati. Aħna nemmnu li ħafna minn dawk li jaraw dan bħala mezz biex malajr insibu tarf tal-problemi li Malta qiegħed tħabbat wiċċha magħhom jaħsbuha mod ieħor kieku kellhom jafu minn xiex jgħaddu l-migranti hemmhekk,” qal id-Direttur tas-Servizz tal-Ġizwiti mar-Refuġjati (JRS Malta), Fr Joseph Cassar SJ.

Do They Know? huwa gabra ta’ testimonjanzi minn nies li kienu qed ifittxu l-asil u ngħataw il-protezzjoni f’Malta, u juri l-esperjenzi tal-ħajja fil-Libja. Maħruġ mill-JRS Malta fl-okkażjoni tal-Jum Internazzjonali tal-Migranti, li jaħbat illum, it-testimonjanzi juru t-tbatija li ma nobsruhiex li l-migranti jgħaddu minnha fil-Libja, li huwa kważi pajjiż ta’ transitu obligatorju għal persuni Afrikani li qed jaħarbu vjolenza mifruxa u vjolazzjonijiet tad-drittijiet tal-bniedem fil-pajjiżi tal-orijini tagħhom ‘l isfel mis-Sahara.

Is-Servizz tal-Ġizwiti mar-Refuġjati jemmen li r-ritorn forzat tal-migranti lejn il-Libja, fejn ma jistgħux jiksbu protezzjoni effettiva jekk jeħtiġuha u fejn isibu ruħhom f’riskju ta’ ħsara għalihom, hija vjolazzjoni tal-liġi internazzjonali. Għaldaqstant, nitolbu lill-gvern li:

- Jiżgura li l-persuni kollha li jfittxu l-asil fil-ġurisdizzjoni effettiva ta’ Malta jithallew japplikaw għall-protezzjoni
- Jsalva lill-immigranti interċettati mill-FAM jekk ikunu talbu l-għajjnuna, għax b’mod ieħor is-sigurtà tagħhom ma tkunx garantita
- Jqis li dawk kollha salvati fiz-żona ta’ salvataġġ (SAR) ta’ Malta jitnizzlu f’port salv, fejn dawk li jeħtiġu l-protezzjoni jistgħu jitolbu l-asil
- Joqgħod lura minn azzjonijiet li jirriżultaw, direttament jew indirettament, fir-ritorn tal-immigranti lejn pajjiż fejn ikunu f’riskju ta’ vjolazzjonijiet serji tad-drittijiet fundamentali tagħhom.

“Filwaqt li mhux l-immigranti kollha li jippruvaw jaqsmu l-Mediterran mill-Afrika għall-Ewropa bilfors jeħtiġu l-protezzjoni,” qal Fr Cassar, “dan ma jgħgustifikax li xi hadd jista’ jintbagħat lura f’pajjiż fejn ħajtu tista’ tkun f’periklu serju. Malta għandha obbligu li tiżgura li d-drittijiet tal-migranti kollha fil-ġurisdizzjoni effettiva tagħha qed jitharsu, irrispettivament mill-istatus legali tagħhom.” Huwa fakkar li iktar minn 50% minn dawk li talbu l-asil f’Malta u l-Italja s-sena li għaddiet kienu mogħtija xi forma ta’ protezzjoni.

Do They Know? jinsab fuq l-internet fis-sit www.jrsmalta.org/Do%20They%20Know.pdf

Huwa u jqis it-tjubija li għandhom ħafna nies, is-Servizz tal-Ġizwiti mar-Refuġjati zied li “L-ebda attitudni awtentikament umana m’hi se tagħlaq għajnejha għat-tbatija bla qies li garrbu jew raw ħafna minn dawk li tkellimna magħhom,” u temm jgħid “Żgur li ħafna nies jibdedw jaħsbuha mod ieħor, kieku kellhom tjiel...”