JESUIT REFUGEE SERVICE
SERVIZZ TAL-ĠIŻWITI MAR-REFUĠJATI

21 July 2010

Verżjoni bil-Malti iktar 'l isfel

STATEMENT

JRS Malta is gravely concerned about the return of the 27 Somali asylum seekers, rescued on Saturday night from a vessel in distress within Malta's SAR, to Libya.

Given the numerous credible reports highlighting the harsh treatment of migrants caught trying to leave Libya illegally and the impossibility of obtaining effective protection there, we cannot but question whether Libya can legitimately be considered 'safe'.

Although the facts surrounding the search and rescue operation are far from clear, from initial reports[1] it appears that the migrants who boarded the Libyan vessel were led to believe that they would be going to Italy.

Moreover, it seems that the 55 migrants on board the dinghy were arbitrarily divided between the two boats, without any assessment of their personal situation or protection needs. This led to families being separated, with one member of the family in Malta and the other in Libya.

In the circumstances we find it hard to accept without questioning, the AFM's assertion that half the migrants on board the dinghy meekly volunteered to go back to Libya, the country they had risked everything to leave.

While it is clear that irregular immigration poses particular challenges for Malta, JRS believes that attempts to limit the number of irregular arrivals should never be at the cost of human rights.

We therefore call upon the government to ensure that from now on, all asylum seekers within Malta's effective jurisdiction are not sent to Libya, where they cannot obtain the protection they require and where they risk suffering serious violations of their fundamental human rights.

[1] http://www.tgcom.mediaset.it/mondo/articoli/articolo486742.shtml

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STQARRIJA

Is-Servizz tal-Ġiżwiti mar-Refuġjati – *Jesuit Refugee Service (JRS) Malta* – juri tħassib serju dwar ir-ritorn lejn il-Libja ta' 27 persuna mis-Somalja, li kienu qed ifittxu l-ażil u li ġew salvati s-Sibt billejl minn biċċa tal-baħar fil-periklu fiz-zona ta' tfittxija u salvataġġ ta' Malta.

Minħabba l-ħafna rapporti ta' min joqgħod fuqhom dwar it-trattament aħrax tal-immigranti li jinqabdu jitilqu mil-Libja b'mod illegali u l-impossibilità li jiksbu protezzjoni effettiva f'dak il-pajjiż, ma nistgħux ma nistaqsux jekk il-Libja tistax bir-raġun titqies bħala pajjiż 'sigur'.

Għalkemm il-fatti dwar l-operazzjoni ta' tfittxija u salvataġġ xejn m'huma ċari, minn rapporti inizjali[1] jidher li l-immigranti li telgħu fuq il-bastiment Libjan ngħataw x'jifhmu li kienu sejrin l-Italja.

Barra minn hekk, jidher li l-55 immigrant fuq id-dingi tqassmu arbitrarjament bejn żewġ bastimenti, mingħajr ebda stħarriġ tas-sitwazzjoni personali tagħhom jew tal-ħtiġiet ta' protezzjoni. Dan wassal biex xi familji ġew mifruda, b'membru tal-familja jispiċċa Malta u l-oħra l-Libja.

F'dawn iċ-ċirkostanzi nsibuha bi tqila li nemmnu mingħajr ma niddubitaw il-verżjoni tal-Forzi Armati ta' Malta li nofs l-immigranti fuq id-dingi kemm qabdu u offrew li jmorru lura l-Libja, il-pajjiż li kienu rriskjaw kollox biex jitilqu minnu.

Filwaqt li huwa ċar li l-immigrazzjoni irregolari ġġib magħha sfidi partikolari għal Malta, il-JRS jemmen li l-ebda tentattiv biex jitnaqqas in-numru ta' wasliet irregolari m'għandu jkun a skapitu tad-drittijiet tal-bniedem.

Għalhekk nitolbu lill-gvern li jiżgura li minn issa 'l quddiem, il-persuni kollha li jfittxu ażil fil-ġuriżdizzjoni effettiva ta' Malta ma jintbagħtux il-Libja, fejn ma jistgħux jiksbu l-protezzjoni li jeħtieġu u fejn jistgħu jġarrbu vjolazzjonijiet serji tad-drittijiet fondamentali umani tagħhom.