

*Verżjoni bil-Malti iktar isfel*

## **Migrants’ return no victory: a loss for humanity – NGOs**

“Forcibly returning people to a country where they may face ill-treatment and be pushed back into the arms of their persecutors, without an assessment of their need for protection, violates international law,” said Fr Joseph Cassar SJ, Director JRS Malta.

“Such actions constitute a violation of the right to seek asylum and of our obligations to ensure that all asylum seekers within our effective jurisdiction are allowed to seek asylum and protected from forced return to their country. A solution achieved at the expense of human rights cannot be hailed as a victory – it is a loss for the whole of humanity”, he said.

He was speaking on behalf of a coalition of 10 Maltese and international NGOs, Church organisations and concerned individuals, comprising Amnesty International Malta Group, Emigrants’ Commission, JRS Malta, JRS Europe, JRS Italia Centro Astalli, Kopin, Médecins Sans Frontières, Migrants’ Solidarity Movement, Moviment Graffiti, SKOP, Mr Terry Gosden and Fra Ġwann Xerri, who issued a [statement](#) on the return of 238 migrants to Libya by the Italian authorities.

On May 7, local and international press carried reports that 238 migrants rescued off Lampedusa were returned to Tripoli in Italian coastguard vessels. According to the same reports Italian Home Affairs Minister Roberto Maroni expressed the hope that from now on all migrants intercepted could be returned to Libya.

“Hailed as a historic development in the fight against irregular immigration, this decision totally ignores the fact that many people making the crossing are in fact in need of international protection. It also ignores the fact that it is very difficult for asylum seekers to obtain effective protection in Libya or in the other countries through which they transit on the way to Europe”, they said.

In Malta alone more than half of those who applied for asylum were granted some form of protection. They use an irregular route because it is impossible for them to reach a place of safety in any other way.

It is clear that states have a right and duty to control their borders, but any measures implemented must be in line with human rights law, which forbids the return of people to countries where they may face serious harm.

The coalition called upon all European governments to uphold the right to seek asylum, enshrined in Article 18 of the Charter of Fundamental Rights of the EU, and by ensuring that:

- asylum seekers within their effective jurisdiction are allowed access to a territory where they can seek asylum, so all in need of protection can be identified and granted the protection they need; and
- no one is sent to a country where they may face serious violations of their human rights.

## **L-Immigranti Mibghuta Lura: mhux Rebha imma Telfa għall-Umanità - NGOs**

“Ir-ritorn forzat tan-nies f’pajjiż fejn jistgħu jgarrbu l-moħqrija jew jintefgħu f’idejn min jippersegwitahom, mingħajr ma ġew eżaminati jekk kinux jeħtieġu l-protezzjoni, huwa vjolazzjoni tal-liġi internazzjonali,” qal Fr Joseph Cassar SJ, Direttur tas-Servizz tal-Ġizwiti mar-Rifugjati (JRS Malta).

“Dawn l-azzjonijiet jikkostitwixxu vjolazzjoni tad-dritt li jintalab l-asil u tal-obbligi tagħna li niżguraw li l-persuni kollha li qed ifittxu l-asil fil-ġurisdizzjoni effettiva tagħna jithallew jitolbu l-asil u jitharsu mir-ritorn forzat lejn pajjiżhom. Soluzzjoni li tinkiseb għall-prezz tad-drittijiet tal-bniedem ma tistax tintlaqa’ bħala vittorja – hija telfa għall-umanità kollha,” qal.

Hu kien qiegħed jtkellem f’isem koalizzjoni ta’ għaxar organizzazzjonijiet mhux governattivi u tal-Knisja, Maltin u internazzjonali, u individwi konċernati – Amnesty International Malta, JRS Malta, Kopin, il-Kummissjoni Emigranti, Médecins Sans Frontières, Migrants’ Solidarity Movement, Moviment Graffiti, SKOP, Fra Ġwann Xerri OP, JRS Europe, JRS Italia Centro Astalli, li ħarġu [stqarrija](#) fuq ir-ritorn ta’ 238 immigrant lejn il-Libja mill-awtoritajiet Taljani.

Fis-7 ta’ Mejju l-istampa lokali u internazzjonali rrapportat li 238 immigrant li ġew salvati qrib Lampedusa tteħdu lura l-Libja fuq *patrol boats* Taljani. Skont l-istess rapporti, il-Ministru Taljan tal-Intern Roberto Maroni wera t-tama li minn issa ‘l quddiem l-immigranti interċettati jistgħu jittieħdu kollha l-Libja.

“Imsejjaħ żvilupp storiku fil-ġlied kontra l-immigrazzjoni irregolari, din id-deċiżjoni tinjora għalkollox il-fatt li ħafna nies li qed jaqsmu bil-baħar jeħtieġu l-protezzjoni internazzjonali. Tinjora wkoll il-fatt li huwa diffiċli ħafna għal dawk li jfittxu l-asil li jiksbu protezzjoni effettiva fil-Libja jew fil-pajjiżi l-oħra li jkunu għaddew minnhom fi triqthom lejn l-Ewropa,” qalu.

F’Malta biss, iktar minn nofs dawk li applikaw għall-asil ingħataw xi forma ta’ protezzjoni. Huma jużaw mezzi irregolari għax huwa impossibbli għalihom li jaslju mod iehor f’post li joffrilhom is-sigurtà.

Minnu li l-istati għandhom id-dritt u d-dmir li jikkontrollaw il-fruntieri tagħhom, imma l-miżuri li jittieħdu jridu jirrispettaw il-liġi tad-drittijiet tal-bniedem, li tipprojbixxi r-ritorn tan-nies lejn pajjiżi fejn jistgħu jgarrbu dannu serju.

Il-koalizzjoni titlob lill-gvernijiet kollha tal-Ewropa li jiggarantixxu d-dritt li jintalab l-asil, imħares mill-Artiklu 18 tal-Karta tad-Drittijiet Fundamentali tal-Unjoni Ewropea, billi jiżguraw li:

- persuni li qed ifittxu l-asil fil-ġurisdizzjoni effettiva tagħhom jithallew jaslju f’territorju fejn jistgħu jitolbu l-asil, sabiex dawk kollha li jeħtieġu l-protezzjoni jistgħu jiġu identifikati u mogħtija l-protezzjoni li jisthoqqilhom; u
- hadd ma jintbagħat f’pajjiż fejn jista’ jgarrab vjolazzjonijiet serji tad-drittijiet tal-bniedem.