

'PRESERVATION OF LIFE SHOULD BE THE TOP-MOST PRIORITY'

JOINT NGO STATEMENT ON THE SITUATION OF THE MV SALAMIS



We strongly urge Italy and Malta to ensure that all decisions involving the fate of the migrants aboard the MV Salamis give top-most priority to the preservation of their lives. Whilst legal and political sensitivities are of course central to the determination of responsibilities and obligations, these should not override or ignore the need to ensure the safety of all rescued persons and of the rescuing crew.



From the available information, it seems that the migrants were rescued within Libya's search and rescue zone, and that Italy was the first state contacted with news of the distress. In view of the location of the rescue operation, Libya ought to be responsible for the coordination of the rescue operation, and for ensuring the prompt disembarkation of the rescued migrants at a safe port.

However, if and how Libya responded to any distress call is unclear at this time. It is further noted that Libya's possible lack of response would require either Italy or Malta to assume rescue coordination responsibilities, depending on various factual considerations and in accordance with international maritime law obligations.



We remind Italy and Malta that the rescue operation should result in the migrants being disembarked at a safe port. We subscribe to, and strongly urge an interpretation of 'safe' that is not limited to immediate physical safety but which also looks at the human rights situation the rescued persons would be exposed to.



Will any rescued asylum-seekers have the opportunity to present their asylum claims in Libya, or will they be forcibly returned to their countries of origin? Will they be locked up in detention centres that violate their human dignity? Will they be exposed to risks of torture, rape, assault and other forms of physical and psychological violence? Will vulnerable individuals be provided with the necessary support?



We are also concerned that such actions by states discourage private vessels from fulfilling their obligation of rescuing persons in distress. We warmly applaud the courage and commitment shown by the Salamis' captain and crew, and urge coastal states to take due consideration of the human and commercial strain such incidents place on private vessels.

Italy and Malta need to ensure that all the rescued persons are not returned to a territory where they would be exposed to severe human rights violations. Furthermore, we also urge the European Union to contribute to the prevention of these incidents by exploring means of supporting the search and rescue efforts of Italy and Malta.

We also urge the Italian and Maltese authorities to publish an incident report.



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This statement is sent by: aditus foundation, JRS Malta, Migrants' Network for Equality, SOS Malta, KOPIN, Integra Foundation, Foundation for Shelter and Support to Migrants, Organisation for Friendship in Diversity.

