

# MALTA

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## Republic of Malta

Head of state: **Marie-Louise Coleiro Preca**

Head of government: **Joseph Muscat**

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**Malta maintained a restrictive interpretation of search and rescue obligations at sea. The authorities continued to automatically detain asylum-seekers and migrants, in breach of international standards, and to deny them effective remedies to challenge their detention. Same-sex couples were granted the same rights as heterosexuals in a civil marriage. Constitutional protection was extended to cover discrimination on grounds of sexual orientation and gender identity. Abortion remained prohibited under all circumstances.**

## REFUGEES AND ASYLUM-SEEKERS

Malta experienced a drop in irregular boat arrivals of refugees and migrants due to Italy's Operation Mare Nostrum during which refugees and migrants were being rescued at sea and disembarked on Italian territory. By the end of September, 565 people had been rescued and brought to Malta (compared to 2,008 people in 2013). Malta continued to apply a restrictive interpretation of search and rescue obligations at sea, aimed at limiting disembarkation of refugees and migrants in its territory.<sup>1</sup>

The authorities continued to automatically detain undocumented migrants, often for up to 18 months, and asylum-seekers, for up to 12 months, in breach of Malta's international human rights obligations. On 30 March, the Prime Minister publicly pledged to end migrant children's detention. However, children and other vulnerable people continued to be routinely detained as well as unaccompanied minors detained alongside adults while awaiting the outcome of their age or vulnerability assessment.<sup>2</sup>

Appeal procedures to challenge the length and lawfulness of detention remained in breach of international human rights standards, leaving asylum-seekers and migrants exposed to the risk of arbitrary detention.

Conditions in detention centres remained sub-standard, with many asylum-seekers and migrants experiencing lack of privacy and poor recreation and leisure facilities.

The government refused to disclose information about the search and rescue operation regarding a trawler carrying over 400 people, mostly Syrian families, which sank on 11 October 2013. Survivors' testimonies and available data indicated that rescue may have been delayed due to failures by Maltese and Italian authorities.

In December, after a two year delay, the government published the findings of the inquiry into the death of Mamadou Kamara, a 32-year-old Malian national, who died in custody in June 2012. He had attempted to escape from Safi Barracks detention centre and was allegedly severely ill-treated when recaptured. The inquiry report recommended a review of the asylum-seekers and migrants detention system.

## RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE

On 14 April, the Parliament passed the Civil Unions Act, granting same-sex couples the same rights as heterosexual couples in a civil marriage. Partners in a civil union were also allowed to jointly adopt children, with the same rights and obligations as parents in a civil marriage.

On the same day, Parliament amended the Constitution to include protection from discrimination on grounds of sexual orientation and gender identity.

## SEXUAL AND REPRODUCTIVE RIGHTS

Abortion remained prohibited under all circumstances, including to save the life of the woman. In October, the UN Human Rights Committee, considering Malta

under the ICCPR, raised concern about the compatibility of the prohibition with the right to life.

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1. Lives adrift: Refugees and migrants in peril in the central Mediterranean (EUR 05/006/2014)  
[www.amnesty.org/en/library/info/EUR05/006/2014/en](http://www.amnesty.org/en/library/info/EUR05/006/2014/en)
  2. Lives adrift: Refugees and migrants in peril in the central Mediterranean: Executive summary (EUR 05/007/2014)  
[www.amnesty.org/en/library/info/EUR05/007/2014/en](http://www.amnesty.org/en/library/info/EUR05/007/2014/en)

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## MAURITANIA

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### Islamic Republic of Mauritania

Head of state: **General Mohamed Ould Abdel Aziz**

Head of government: **Yahya Ould Hademine (replaced Moulaye Ould Mohamed Laghdaf in August)**

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**Torture and other ill-treatment were routinely used to extract confessions from detainees and as punishment in prisons. Slavery persisted, with generations of families, particularly women and girls, being held in slavery. The authorities restricted freedoms of expression and assembly, and human rights defenders faced harassment and intimidation.**

### BACKGROUND

President Aziz was re-elected for a second five-year term in June, obtaining more than 80% of the vote. The Independent National Electoral Commission received complaints contesting this result from four other candidates. President Aziz was also elected to serve as President of the AU for one year in January.

### TORTURE AND OTHER ILL-TREATMENT

Prisoners of all ages, status and gender were at risk of torture and other ill-treatment. Women, children, homosexual prisoners,

political prisoners and prisoners convicted of common law offences told Amnesty International that they were subjected to torture and other ill-treatment by security forces. Although mainly used to extract “confessions” from detainees, torture and other ill-treatment were also used as punishment in prison. The use of torture was facilitated by laws which allowed detainees to be held in police custody for up to 45 days on suspicion of national security offences. This limit was regularly exceeded. No action was taken when complaints of torture were made to judges or the police.

Reported torture methods included regular beatings, including beatings with batons; beatings on the back with the hands and feet handcuffed behind the back; enforced squatting for long periods; and having an iron bar placed between the knees and being suspended from two water barrels. Detainees reported being made to sign statements under threat without being allowed to read them.

### SLAVERY

Despite the adoption of laws criminalizing slavery and the creation in December 2013 of a special tribunal to hear slavery cases, implementation in practice remained poor.

Court cases were subject to long delays. Between 2010 and the end of 2014, at least six cases of slavery were submitted to the Public Prosecutor, but no ruling had been made by the end of 2014.

A strategy to eradicate slavery was adopted by the government in March. Its 29 recommendations included amending the 2007 law against slavery to include further forms of slavery such as hereditary slavery, debt bondage and early marriage. It also recommended that the 2007 law should include provisions for reintegration programmes for people freed from slavery, and called for initiatives to raise awareness that slavery is a criminal offence.

In May, a complaint was filed against a slaveholder in the Echemin region for the