



MINISTER FOR HOME AFFAIRS  
AND NATIONAL SECURITY  
STRAIT STREET, VALLETTA, MALTA

26 January 2018

Mr Nils Muižnieks  
Commissioner for Human Rights  
Council of Europe  
67075 Strasbourg Cedex  
France

Dear Commissioner,

Reference is made to your letter dated 14 December, 2017 which included recommendations for Malta on a number of issues concerning the human rights of migrants. I would like to share with you the following points on issues falling under my remit as Minister for Home Affairs and National Security.

First, I would like to thank you, Commissioner, for recognising the steps forward made by the Maltese Government in recent years in its migration policy, in particular to abolish the automatic detention policy and the improvements made to the living conditions in Hal Far Open Centre. Despite the significant progress that has been made, as always, there is room for improvement. The Government is committed to improve on what we have and this will be undertaken in the future to continue improving living conditions in the reception centres.

During the course of your visit you also invited the Maltese Government to extend family reunification rights to beneficiaries of subsidiary protection. In this regard, it is to be observed that Malta's current regime is compliant with the provisions of the EU Council Directive 2003/86/EC on the right to family reunification, which provides for family reunification for refugees, and the EU Directive 2011/95/EU (Qualification Directive) which provides for family unity. At this stage, Malta is in the process of revising its migration and asylum systems, as attested in particular by its active participation as a contributor in EU relocation programme, as well as resettlement initiatives. Furthermore, efforts are made to maintain family unity, be it in the contexts of resettlement and relocation, or in other scenarios, for example during search and rescue operations.

In regard to your observations on the Refugee Appeals Board, these are duly noted. As already mentioned, Malta is currently in the process of reforming aspects of migration and asylum, including by looking at ways of improving the current appeals system so that it is more in line with international standards. In fact, discussions have started with the European Asylum and Support Office (EASO) to develop training programmes for our second instance body.



Once again, I would like to thank you and your delegation for visiting Malta and taking the time to communicate your findings. I too look forward to continuing this dialogue in the interest of ensuring respect of the human rights of migrants in Malta.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Michael Farrugia', with a long, sweeping underline.

Michael Farrugia