

Rede von Dr. Neil Falzon anlässlich der Verleihung des Menschenrechtspreis der Stiftung PRO ASYL an ihn und die aditus foundation am 7. September 2024 in Frankfurt am Main.

**Dear friends...good afternoon.**

It's a great honour for me to stand here and receive this fantastic award from PROASYL. I'm particularly touched because I know how difficult the past weeks have been for you all. Germany is now on the brink of going down a very dangerous and ugly tunnel...one that could be very difficult to get out of.

I can only imagine how you are feeling. Shock at what happened, at innocent people being killed. Anger and frustration that it came from the very communities you stand up for. Fear at how the Government, the country and possibly the bigger political picture is going to react. More frustration that what you've gained or thought you've gained with so many years of hard work will be thrown out...just like that.

From miles away, in the middle of the Mediterranean, my team shares your loss, and we extend our sympathy and solidarity with you all in these very difficult moments. It is in fact **solidarity** I want to talk about in these few minutes with you. In the world of asylum, a Maltese person talking about solidarity comes with a lot of political baggage, a lot of irony.

When Malta joined the EU in 2004, we had already been receiving hundreds of refugees reaching our shores by boat. Somalis, Eritreans, Ethiopians, Sudanese and many more were being packed onto small wooden boats and sent off into the dangerous Mediterranean Sea. At the time, Malta's asylum systems were still newly-born babies: untested laws, no real government authorities, no system in place to receive, host and take care of people, nothing. Importantly, Malta did not yet have the conscience, the heart, the solidarity for this new idea of people coming to the island for shelter, for protection. It was a mess. Malta immediately set up one of Europe's cruellest detention regimes where everyone was locked up in filthy, angry and violent detention centres. If I close my eyes and relive my most vivid memory of Lyster Barracks, it's as if you walked into a lively kindergarten: shouts of babies and children surround you. They're

playing, fighting, crying, eating, laughing, screaming. Open your eyes and you see thick metal bars, uniformed soldiers, flies and cockroaches. It's not a kindergarten. The sounds just did not match the space...it was surreal.

**Solidarity** was the Maltese Government's nauseating mantra. In every official document, every meeting, every press release, every interview...Malta kept banging on and on about how the island needed solidarity from the EU to deal with this mess. This chant for **solidarity** quickly became the brand of the southern EU MS, trying to shape and reshape the EU's asylum policy. What solidarity mean, of course was just one thing: **they them all away from us.**

And of course, **solidarity** calls were soon picked up by so many other EU MS that felt they needed more support. We're now all familiar with burden-sharing...burden-shifting.....responsibility-sharing...relocation...to the awkward 'solution' we now have in the new EU Pact. Sadly, we're more familiar with how an increasing unwillingness to show and act on solidarity is slowly killing the EU's soul and heart when it comes to refugee protection.

Over 20 years have passed since the panic of Malta's first boat arrivals. In these 20 years Malta has received millions of EU funds...it's the only EU MS that benefitted from a programme resettling thousands of refugees to the US...hundreds of asylum-seekers have been relocated to other EU MS...there was a time was Malta was quite literally emptied of refugees...yet **solidarity** is nowhere to be seen in the way Malta chooses to treat refugees.

For years now Malta has stopped rescuing people at sea, also many times instructing private ships from not intervening. Just a few weeks ago we filed a case on behalf of a Syrian couple who live a few hours from here, parents of Loujin...a 3-year-old girl who died of thirst out at sea because Malta refused to rescue her and the other people on the boat with her...hour after hour, day after day, she just withered away.

Relations with Libya are stronger than ever, but also more secretive and lethal. Malta is one of the MS supporting the processing of asylum applications outside the EU. Despite several wins at the European Court of Human Rights, most of Malta's detention regime remains illegal and inhumane. NGOs like us and JRS, who try to visit refugees in detention face several obstacles

to visit our clients. When we do, we talk to them in rooms with security cameras...under threat of being stopped if we do anything out of place. Just recently, Malta extended the minimum residence period required for refugees to apply for Maltese citizenship: from **10 years to 15 years**...a citizenship that anyone else in the world with no interest in Malta can buy for not-so-large a sum. **Solidarity indeed!**

Karl knows all this too well. We've been close for several years. We've shared hours and hours of moaning, planning, strategising and of course laughing...I love him dearly for so many reasons!

He is particularly special because of all the people I speak to about Malta's human rights problems – NGOs, parliamentarians, MEPs, lawyers, journalists, you name it – he is one of the few who actually get it. Not that everyone else is daft or ignorant...but Karl – and thanks to him all of you through this award – understands that the smallness of Malta, the tiny scale of violations happening there, do not change the seriousness of what refugees experience in Malta. That their experience matters.

And because it matters, we must care.

We must show **solidarity**.

Yet with the direction being taken by so many EU MS, and by the EU itself in the new Asylum Pact...for us it is clear that we are not merely facing a crisis in refugee protection but a much broader crisis: one that threatens long-established norms and standards of governance:

- attacking civil society organisations with legal, financial and other administrative weapons;
- compromising judicial independence;
- high-level corruption and nepotism;
- manipulating the press and access to information;
- ignoring core Constitutional and fundamental rights principles...

...it doesn't take a public law expert to define this as a textbook assault on democracy and the rule of law. Defining what this means for us who work in this sector would take us weeks of

intense discussions, but I think we need to step out of our asylum bubble. We need to be ready for very hard times that will not only harm refugees, but that will damage our organisations, our team members and those who believe in our work. We need to be ready to support and stand up for each other. We need to alert our friends and colleagues that their rights and freedoms could be next: LGBTIQ+, women, persons with disability, elderly...

Solidarity will be key, amongst asylum NGOs but also amongst broader networks of traditional and non-traditional partners.

This is why, from where we stand in Malta, nothing more than a rock at the edge of Europe, often forgotten, downplayed or even ignored...this award and the relationship between our organisations is so important, especially now. Our friendship and cooperation are an example of the best and only way ahead if we want to achieve anything at all for refugees, and for human rights.

On behalf of my team...Carla, Kasia, Marine, Kirsten, Michela, Ahmed and Leanne...I'd like to thank you once again for the visibility this award is giving to the situation of refugees in Malta. This award is dedicated to them all, especially to those who receive us in detention.