



Members of the German Bundestag

Dear Office of the Attorney-General of Malta,

We are writing, to register our utmost concern about the criminal prosecution of the “El Hiblu 3”.

The young men, two of whom were only fifteen and sixteen years old at the time of the incident, acted solely as interpreters. Their efforts were an attempt to prevent themselves along with the other rescued migrants, from being returned to Libya, where they faced possible imprisonment and torture.

Libya cannot be regarded as a safe haven. Furthermore, returning the more than 100 rescued migrants to Libya is a violation of the non-refoulement principle. Standing up for ones right to be brought to safety, as is provided for in the international law of the sea, cannot amount to a criminal act.

Sources have informed us that, in the trial of the El Hiblu 3, potentially exculpatory evidence has been heard only very hesitantly or in some instances not at all. As such, we call on you to observe the standards set out in both European and International law, to conduct this trial fairly. This will involve taking into account the circumstances of the case, including the factors justifying the young men's actions, and conducting the trial in accordance with Malta's right and obligations under the United Nations Convention on the Rights of the Child.

Sincerely,
Luise Amtsberg (B90/ Die Grünen)

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