

The State of the World's Human Rights; Malta 2025

Torture and other ill-treatment

In July, the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) published the report of its 2023 visit to Malta. The committee reiterated long-standing concerns that the National Preventive Mechanism lacked sufficient independence and powers. It also highlighted the need to review the prison disciplinary system, which allowed prisoners to be confined to a cell for 23 hours a day. The committee received several allegations of ill-treatment and noted that conditions in Corradino prison remained poor.

An investigation by the Parliamentary Ombudsman, published in July and focused on maladministration in the prison system between 2018 and 2021, also revealed allegations of degrading treatment of prisoners.

Refugees' and migrants' rights

At year's end 246 people had reached Malta irregularly by sea, having been rescued by the authorities. However, reports persisted that Malta had delayed or failed altogether to respond to cases of distress at sea. In September, the UN Human Rights Committee addressed a complaint by 41 survivors of a shipwreck in August, who had been left stranded for days on a supply ship in the Maltese search and rescue region. The committee stated that Malta and Italy had a duty to coordinate to ensure rescue and disembarkation in a place of safety. The procedure to establish the two states' responsibilities in the incident was pending at year's end. In March, in a separate incident involving 32 individuals stranded on a gas platform, the committee had requested that Malta coordinate a rescue operation and ensure that people were disembarked at the nearest place of safety.

Malta continued to cooperate with Libya to intercept people trying to reach Europe by sea in the Maltese search and rescue region and take them back to Libya, which was not a safe country for the disembarkation of people rescued at sea.

In May, the UN Committee on Enforced Disappearances expressed concern at reports of "non-assistance and pushbacks of migrants at sea, including reports of delays in search and rescue operations." It also noted the absence of safeguards against enforced disappearances in Malta's 2020 memorandum of understanding with Libya to control migration.

Malta continued to automatically detain people arriving irregularly by sea. Detention based on public health grounds was no longer extended, following condemnation by the European Court of Human Rights. However, the authorities adopted new practices under which most asylum seekers continued to be automatically detained on other grounds. Available appeals processes remained largely ineffective.

In July, with reference to its 2023 visit, the CPT noted that, despite some improvements, the immigration detention system's overall regime remained "deeply punitive". Conditions and treatment in the Safi and Hal Far centres continued to "undermine detainees' dignity". Some allegations of violence by staff were also received.

The criminal court in the capital, Valletta, continued to hear the case of two asylum seekers, who – together with a third individual – had opposed attempts to unlawfully return them to Libya in 2019 when two of them were still children. The charges against them included acts of terrorism and they faced life imprisonment if convicted. The third man involved in the case was facing extradition to Malta from the UK.¹

In March, the Constitutional Court ordered a retrial in a case brought by asylum seekers who were unlawfully returned to Libya in 2020 by a commercial ship contracted and instructed by the government. The court had previously dismissed the case, known as the "Easter Monday push back", on procedural grounds.

Sexual and reproductive rights

Abortion continued to be criminalized in most circumstances.

Right to truth, justice and reparation

In June, two men were found guilty of complicity in the 2017 killing of journalist Daphne Caruana Galizia, for having supplied the bomb that exploded in her car. The trial of a businessman accused of commissioning the killing had not begun by year's end.

An EU report on the rule of law in the country concluded that there had been no progress towards the establishment of a national human rights institution, and only limited progress on measures to strengthen the independence of the judiciary. Journalists continued to face challenges in accessing official information.

