

AOM Malta Declaration on Migration

10th of March 2016, Valetta – Malta

We, the Ombudsman and Mediator Institutions gathered on the occasion of the 9th Meeting of the Association of the Mediterranean Ombudsmen (AOM), on 9-10 March 2016 in Valletta, the Republic of Malta;

Recognizing the relevant international law in the sphere of human rights and fundamental freedoms and the obligations of State parties to uphold the norms and standards contained therein,

Recalling the AOM Tirana Declaration of 27 June 2014, on migration and asylum in the Mediterranean region,

Affirming the commitment of Ombudsman and Mediator institutions to protect and promote human rights and fundamental freedoms without borders, in view of the distinct role of our independent institutions in the domestic and international institutional landscape,

Concerned about the humanitarian situation about the migration crisis in the larger Mediterranean area, linked to gross violations of human rights in regions plagued by armed conflicts and poverty, and further aggravated as a result of the failure of transit and destination countries to build a coherent and coordinated response with mobilization of necessary financial, human and logistical resources,

Acknowledging that particular relevance of AOM for the current crisis, in view of its geographical outreach including countries of origin, transit and destination of the migrants and refugees,

Hereby declare as follows:

1. AOM encourages all its associate Ombudsman and Mediator Institutions to engage in monitoring and pressuring State and non-governmental actors to abide to standards and obligations stemming from international human rights and refugee law, including the Geneva Convention of 1951 and its Protocol of 1967.
2. AOM asks all the States to guarantee that refugees and migrants avail of effective access to rights including asylum procedures without any discrimination.
3. AOM calls on local and international stakeholders to counter hate speech, racism and xenophobia, which have a bearing on the rights situation of refugees and, at the same time, erode the fundamental values and principles of diversity, tolerance and coexistence for our societies.
4. AOM engages to work closely with key local and international stakeholders, importantly civil society and INGOs operating in affected countries, to increase guarantees and resources addressing the

needs of vulnerable groups, including children, women, the elderly, persons with disabilities, LGBTI, victims of torture.

5. With particular reference to unaccompanied children, Ombudsman and Mediator institutions shall cooperate amongst them, as well as with competent authorities in order to guarantee the fundamental rights of minors address their specific needs and facilitate family reunification.
6. All the migrants and refugees should have access, in countries of transit and destination, to all the information on their rights and the possibility to ask support to the Ombudsman and Mediator Institutions.
7. So as to provide effective and timely follow up on complaints and grievances of refugees and migrants as a result of state authorities in transit or destination countries, Ombudsman and Mediator institutions commit to pursuing close communication and interaction regarding the transfer of cases for competency among Ombudsman and Mediator member institutions.
8. In fulfilling their dual function as defenders and promoters of rights, Ombudsman and Mediator Institutions call for a human rights based approach, so as to ensure that State responses to the migration crisis and security concerns do not jeopardize human rights standards in countries of transit and destination.
9. In light of the longer-term integration challenge of integration, Ombudsman and Mediator Institutions urge States to develop sound integration policies that enable new diasporas to become productive for the economy and an added value for diversity of the societies hosting them.
10. For the returnees to their countries of origin, Ombudsman and Mediator institutions call upon state and intergovernmental actors to provide meaningful support for their integration, while ensuring a dignified process of return and avoiding repatriation in countries where their safety is not ensured, in compliance with the jurisprudence of the European Convention for the Protection of Human Rights and Fundamental Freedoms.