

Brussels, 26 March 2021



Office of the Attorney General
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Dear Attorney General,

We are writing to you as Members of the European Parliament from different political groups who are deeply concerned about the criminal prosecution of three teenagers in Malta, the *El Hiblu 3*, who are accused of a multiplicity of crimes including acts of terrorism threatening them with life imprisonment.

It has now been two years since the merchant vessel *El Hiblu 1* tried under an EUNAVFOR MED aircraft's coordination to illegally return more than 100 people to Libya who have been rescued from distress at sea. The unlawful pushback was only prevented through a collective protest on board which convinced the crew of the merchant vessel to steer towards Malta.

We highly condemn the instruction by European authorities to the shipmaster to push the rescued people back to Libya as it constitutes a clear breach of international law of the sea and a grave violation of fundamental rights. Libya cannot be considered a place of safety and the return of the more than 100 people would clearly have violated the core principle of non-refoulement. We demand the end of all illegal returns to Libya and massive human rights violations resulting from Europe's collaboration with the so-called Libyan Coast Guard.

We highly condemn the prosecution of the *El Hiblu 3*, who were 15,16 and 19 years old when being arrested and accused of those grave crimes by the Maltese state. Upholding one's right to be taken to a place of safety, as enshrined in international law of the sea, must under no circumstances be criminalized. We agree that protesting illegal push-backs to Libya is not a crime but instead a legitimate and brave act of self-defence.

The UN High Commissioner for Human Rights spokesperson Ravina Shamdasani already condemned the charges against the three teenagers as exaggerated in May 2019.

As signing Members of the European Parliament, we demand the immediate dismissal of the trial and the dropping of all charges.

We extend our best regards.

Cornelia Ernst, The Left

Dietmar Köster, S&D

Malin Björk (The Left)

José Gusmão (The Left)

Marisa Matias (The Left)

Bettina Vollath (S&D)

Leïla Chaïbi (The Left)

Isabel Santos (S&D)

Miguel Urban Crespo (The Left)

Saskia Bricmont (Greens)

Helmut Scholz (The Left)

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Sira Rego (The Left)

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María Eugenia Rodríguez Palop (The Left)

Tineke Strik (Greens)

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Diana Riba I Giner (Greens)

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