

# EU about to negotiate with Libya on immigration matters

Press release

April 13<sup>th</sup> 2005

At their next meeting on April 14<sup>th</sup>, 2005, the Ministers of Interior of the twenty-five EU member states will discuss cooperation with Libya on immigration matters, on the basis of the undisclosed conclusions of a diplomatic mission coordinated by the European Commission in this country in December 2004.

Our organisations are very worried at the prospect of a EU cooperation on immigration matters with a country that is not signatory to the Geneva Convention on Refugees, and that is known for regularly scorning human rights, notably those of immigrants and refugees.

We are also worried at a possible official framework of discussion with Libya at an European level, which risks covering up the questionable deportation practices regularly implemented by the Italian authorities. Indeed, three times in six months, several hundred boat people, among whom potential refugees, arriving on the Island of Lampedusa, in Sicily, have been collectively deported to Libya in violation of the non-turning back principle.

Several NGO lodged a complaint against the Italian Authorities about serious violations of EU principles, but the European Commission, guardian of the legality of the treaties, contents itself to answer that it does not have the power to intervene, because it 'does not have general jurisdiction as far as fundamental rights are concerned.'

Nevertheless the Union, through the Council, is about to organise operations to control and manage immigration flows, in collaboration with the authorities of a third country, and with a view of delegating part of this control to this country, without any guarantee concerning the rights and the fate of the people subject to these operations!

The signatory organisations:

- ask the EU member states to defer all decisions on European cooperation with Libya on matters of immigration, as well as with any other third country from which there is no clear commitment on fundamental rights protection. The ratification and the implementation of the international conventions guaranteeing human rights protection, such as the Geneva Convention, and the access of governmental organisations and NGOs in charge of ascertaining the respect of fundamental rights, are, in this respect, an essential prerequisite;
- invite the Commission, in order to ensure the conditions of a contradictory debate on the opportunity of a migratory cooperation, to make public the conclusions of the diplomatic missions it organized in Libya.
- call the European Parliament to come soon to a decision about the advisability of a collaboration in this field with third countries where there is no insurance that are respected the norms on Human Rights EU is committed to.

**Act-Up-Paris**, *France* ; **AEDH** (Association Européenne pour la défense des droits de l'homme) ; **AFVIC** (Association des amis et familles victimes de l'immigration clandestine), *Morocco* ; **Amnesty International**, french section, *France* ; **ANAFE** (Association nationale d'assistance aux frontières pour les étrangers), *France* ; **APDHA** (Asociacion Pro Derechos Humanos de Andalucia), *Spain* ; **Arbeitskreis Asyl Göttingen**, *Germany* ; **ARCI**, *Italy* ; **ASGI** (Associazione per gli Studi Giuridici sull'Immigrazione), *Italy* ; **Cimade**, *France* ; **FIDH** (Fédération internationale des ligues des droits de l'Homme) ; **Forschungsgesellschaft Flucht und Migration e.V.**, *Germany* ; **GISTI** (Groupe d'information et de soutien des immigrés), *France* ; **Hessischer Flüchtlingsrat**, *Germany* ; **ICS** (Conorzio italiano solidarietà), *Italy* ; **Komitee für Grundrechte und Demokratie**, *Germany* ; **Ligue des droits de l'homme**, *France* ; **Medecins du Monde**, *France* ; **Pateras de la vida**, *Morocco* ; **SOS-Racismo**, *Spain* ; **Statewatch**, *United Kingdom* ; **UFTDU** (Unione Forense per la tutela dei diritti dell'uomo), *Italy*.