



**JRS Europe Regional Office – JRS Italy/Centro Astalli – JRS Malta**

## **PRESS STATEMENT: FOR IMMEDIATE RELEASE (07/05/09)**

### **Removal of 227 migrants to Libya directly contravenes international laws**

The forced removal of 227 men and women to Libya by Italian authorities is absolutely unacceptable. With no opportunity to make an asylum claim these migrants now risk ill-treatment or being pushed back into the arms of their persecutors.

On May 6th, 2009, three boats carrying 227 migrants were saved by a merchant vessel and offloaded onto Italian coastguard boats in waters belonging to the Maltese Search and Rescue Zone (thirty-five miles off the island of Lampedusa). These migrants did not have an opportunity to make a claim for asylum. Within 24 hours a decision to remove them to Libya was taken by the Italian government.

Hailed as a historic development in the fight against irregular migration, this decision totally ignores the fact that many people making the crossing are in fact in need of international protection.

These migrants should have been given the opportunity to make their asylum claim and have their needs for international protection assessed. Of the 75% of migrants who made this same Mediterranean crossing to Italy in 2008 and claimed asylum, 50% received some sort of international protection. These figures clearly tell us that a significant number of migrants who cross by boat are in need of protection.

As EU policy further restricts paths to legal migration, migrants are using increasingly irregular and extremely dangerous routes to get to Europe. Libya does not offer these migrants any sort of protection, having never signed the UN Geneva Convention of 1951, and without any effective sort of asylum system.

In Libya, persons found to be in need of protection continue to be detained and deported back to their country. Migrants and refugees in Malta repeatedly describe how they were detained for months in Libya, in terrible conditions, and severely ill-treated for breaching immigration regulations. Their testimonies are supported by several reports by UNHCR and Amnesty International.

Italy's actions openly breach the European Convention of Human Rights, the right to asylum, as enshrined by Article 18 of the Charter of Fundamental Rights of the European Union, and the EU Asylum Procedures Directive. All European states are bound by these human rights laws, as they are by the principle of *non-refoulement*; stating that no person be sent to countries where they being subject to torture or cruelty, or inhumane and degrading treatment or punishment.

States have a right and duty to control their borders, but in accordance with these laws. Today's actions by Italy undermine the core values of the entire European Union.



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JRS offices in Europe urge Member States of the European Union to ensure that:

- all asylum seekers within their effective jurisdiction are allowed access to a territory where they can seek asylum, so all in need of protection can be identified and granted the protection; and
- no one is sent to a country where they may face serious violations of their human rights.

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