

Commissioner Cecilia Malmström
European Commissioner for
Home Affairs
European Commission

**AMNESTY
INTERNATIONAL**



European Institutions Office

Our Ref: B1372

Brussels, 13 November 2012

Dear Ms Malmström,

AMNESTY INTERNATIONAL BRIEFING ON LIBYA

We should like to draw your attention to our latest briefing on Libya, *We are foreigners, we have no rights*, launched today. Based on fact-finding visits in Libya between May and September this year, the briefing examines the plight of refugees, asylum-seekers and migrants there. The briefing shows that undocumented foreign nationals continue to be at risk of exploitation, arbitrary detention, beatings and torture. Amnesty International visited nine detention centres throughout Libya where the detainees said they had been subjected to torture and other ill-treatment. Women are also vulnerable to sexual and gender-based violence in detention.

Despite well-documented evidence of abuse, the EU has resumed talks with Libya on migration control, and Italy, seemingly oblivious to Libya's human rights record, in April signed an agreement with Libya "to curtail the flow of migrants". We believe that respect for human rights and a satisfactory system of assessing and recognising claims for international protection are crucial in determining the nature of future migration control agreements between European countries and Libya. We also stress the need for monitoring systems to ensure human rights are observed in the implementation of these agreements.

In the light of this, we call on the EU to:

- Ensure that any co-operation with Libya on migration and asylum fully respects the rights of asylum-seekers, refugees and migrants
- Ensure that member states commit themselves to entering into further agreements on migration control with Libya only after Libya can demonstrate that it respects and protects the human rights of refugees, asylum-seekers and migrants and has put in place a satisfactory system for assessing and recognising claims for international protection
- Ensure that adequate monitoring mechanisms are included in cooperation agreements to guarantee that human rights are observed in practice

We should naturally be happy to provide any further information you might require.

Yours sincerely,

Dr Nicolas J Beger
Director