

**AMNESTY
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European Institutions Office

Sándor Pintér
Hungarian Interior Minister
Presidency of the Council of the European Union

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Dear Minister,

Justice and Home Affairs Council, 11-12 April 2011: EU responsibilities in the light of the refugee and migrant crisis in the “southern neighbourhood region”

The anticipated discussions on “migration and border issues arising from the situation in the southern neighbourhood region” at the next Justice and Home Affairs Council present a further opportunity for the EU to commit itself to tangible measures to deal with the current mass displacement resulting from recent unrest in North Africa and the continuing armed conflict in Libya.

While ministers discuss their response to the current ‘migration challenges’, people continue to board boats trying to get to Europe. Most arrivals, mainly Tunisians, have been recorded in Italy. The past week has also seen the first arrivals from Libya in both Italy and Malta. In Italy, we met people who had recently fled Libya. They told us they had only been able to escape the violence by making a dangerous sea journey. Before their escape, they had been trapped in Libya. Some lost family and friends during their dangerous voyage. Some boats reported as leaving Libya have failed to arrive. The United Nations reported that a boat carrying 335 Eritreans which sailed from Libya on 22 March has since gone missing. Bodies of the passengers are currently washing ashore in Libya. Only yesterday, a boat capsized off the coast of Lampedusa, with the loss of some 130 people.

Over 22,000 people have arrived on European shores so far. However, the vast majority of the people fleeing Libya have found sanctuary in Tunisia and Egypt, whose already limited resources have been stretched to breaking point with the arrival of more than 400,000 people. While the number fleeing for their lives from Libya is expected to rise as the conflict intensifies, the EU is far less affected by this mass displacement.

Given the current crisis, the EU must fulfil its responsibilities. We acknowledge the efforts the EU and its member states have made so far to support Libya’s neighbours, but it must do more to alleviate the plight of displaced people.

Not only must the EU take specific steps to help countries like Tunisia and Egypt, it must also share responsibility among its member states. The Council’s previous conclusions acknowledge that member states most directly concerned by ‘migratory movements’ require ‘concrete solidarity’. However, the EU and its member states have only responded with financial, human and technical resources for border

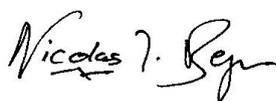
management operations coordinated by Frontex. Member states have yet to translate the call for 'solidarity' into specific measures of assistance. Instead of responsibility-sharing we are also witnessing an evasion of responsibilities. Foreign nationals, whom we believe to be mainly if not all Tunisians, recently arrived in Italy, tried to reach France and are being "pushed back" by the French authorities.

Given these facts we recommend that the EU and its member states:

- Continue and strengthen their assistance to Libya's neighbours countries, which includes offering assistance to agencies operating on the ground in screening and identifying people who need protection and arranging the repatriation of non-Libyan nationals who wish to return to their home countries
- Step up efforts to establish humanitarian corridors and secure safe passage for people trapped in Libya
- Step up sea patrols so as to carry out swift and effective search and rescue of people in distress
- Continue efforts in response to the UNHCR's recent appeal for an emergency resettlement effort and increase in resettlement capacity to help those most in need, or immediately establish resettlement programmes where they do not exist
- Give priority to the humanitarian needs of anyone who reaches, or attempts to reach, EU territory
- Ensure adequate reception conditions for everyone, access to fair and effective asylum procedures and respect for the principle of non-refoulement at all times
- Share the responsibility for helping and receiving migrants and asylum-seekers more fairly throughout the EU, which includes allowing transfers to adequate reception places across Europe if necessary
- Review migration policies and ensure human rights are central to any existing and future agreements to be reached by the EU or individual member states with North African countries. A thorough review should include discussions on opening channels for legal migration and ensuring mobility for people in the region by allowing them readily to obtain visas

We hope you will consider our concerns in your discussions. We look forward to continuing our dialogue on these issues.

Yours sincerely,



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