

Question for written answer

to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy

Rule 130

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Subject: Commission plans to cooperate with Libya on migration issues

According to a report on 13 December 2016 by UNSMIL and OHCHR¹, the breakdown in the justice system in Libya has led to a state of impunity in which armed groups, criminal gangs, traffickers and even public officials control in the most illegal way the flow of migrants and asylum seekers through the country. Migrants are held arbitrarily in detention centres - run mostly by the Department for Combatting Illegal Migration - subjected to torture and other ill-treatment by DICM guards. Detention conditions are degrading and inhuman: migrants are subjected to unlawful imprisonment, torture, killings, sexual exploitation, and other human rights abuses. UNSMIL has received credible information that some members of State institutions and local officials have participated in the trafficking process and in exploitation and violence against refugees.

In light of the above, what are the Commission's criteria for cooperation with Libya, bearing in mind that according to the UN Libya is not a safe country?

Can outsourcing of search and rescue amount to de-facto refoulement?

What is the sustainable basis to consider it appropriate to conclude partnership with this third country, which still lacks a stable state structure and has not even signed the Geneva Convention on Refugees?

¹ http://www.ohchr.org/Documents/Countries/LY/DetainedAndDehumanised_en.pdf