



IOM International Organization for Migration



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

1 February 2017

Sir,

We have the honour to write to you in advance of the informal meeting of the members of the European Council in Valletta on 3 February 2017, during which the issue of the Central Mediterranean route and the situation of refugees and migrants in Libya will be discussed.

We have taken note of the joint communication entitled “Migration on the Central Mediterranean route: Managing flows, saving lives”, which was issued by the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy on 25 January 2017. We share the urgency expressed in the communication and by EU Member States for decisive action to be taken that prevents further tragic loss of life on the Central Mediterranean route and addresses the deplorable conditions for migrants and refugees in Libya.

In a document shared with the European Commission in December, UNHCR outlined its “Proposals on Better Protecting Refugees in the EU and Globally” and its vision for an EU that is engaged beyond its borders to protect, assist and find solutions for persons of concern. These proposals focus on the need for increased development assistance; expanding opportunities for safe pathways, such as resettlement and family reunification; development of a common EU approach to legal migration; and building sustainable asylum systems in countries such as Libya, when the security and political situation permits.

IOM welcomes the EU’s continued attention to addressing the challenges of governing migration along the Central Mediterranean route and the recognition that Libya needs intensified support if it is to become a strategic partner in efforts to reduce irregular migration. IOM believes that this can be accomplished if this support fits within a comprehensive and holistic migration-governance approach. The foremost objective should be to support the Libyan authorities in joint efforts to establish a better system of managing the migration situation on the ground.

The joint communication outlines elements for a blueprint for urgent action on the Central Mediterranean route and Libya. From our perspective, we would like to highlight the need for a number of additional elements, which we hope can be considered at the upcoming discussion on the Central Mediterranean Situation:

- *A comprehensive approach* that is owned by the Libyan authorities and that is at the centre of all political, economic and security measures aimed at the stabilization of all populations in need, including the internally displaced and other conflict-affected populations, refugees and migrants;
- *Capacity-building* initiatives to save lives, both at sea and on land; strengthen the rule of law, including with respect to impunity and corruption; and fight against criminal networks;
- *Unhindered humanitarian access*, which is currently limited to certain areas of the country, due to security constraints, hindering our ability to deliver life-saving assistance, provide basic services to the most vulnerable and find solutions through resettlement, assisted voluntary return or self-reliance;

His Excellency
Mr. Joseph Muscat
Prime Minister of the Republic of Malta



- *Concerted efforts* to move away from the dominant paradigm of migration management in Libya, based on the automatic, often arbitrary, detention in deplorable conditions of refugees and migrants, and move towards the creation of proper reception services that incorporate key protection safeguards and provide for safe and dignified conditions, including for the most vulnerable (such as children and victims of trafficking); and
- *Concrete measures* in support of the Government of Libya to build capacity for registration, case processing and finding solutions, including resettlement and humanitarian admission for refugees and assisted voluntary return for migrants, in cooperation with UNHCR and IOM.

To date, considerable efforts have been made by our organizations and implementing partners to deliver basic protection and assistance to refugees and migrants, within a highly challenging operational and security context. We will continue doing so and are prepared to step up our engagement in the country and across the region, consistent with our respective responsibilities, depending on how the situation evolves. We would also like to note that neither safe third country concepts nor extraterritorial processing arrangements would currently be appropriate in the Libya context.

We take this opportunity to express our appreciation for your consideration of the elements outlined above and hope that the discussions in Valletta progress well. We look forward to engaging with you and the Maltese Presidency of the Council of the EU in the follow-up to the informal meeting.

Please accept, Sir, the assurances of our highest consideration.

A handwritten signature in black ink, reading "William Lacy Swing".

William Lacy Swing
Director-General
International Organization for Migration

A handwritten signature in black ink, reading "Filippo Grandi".

Filippo Grandi
United Nations High Commissioner
for Refugees