

STATEMENT: RENEWAL OF THE MOU BETWEEN ITALY AND LIBYA REINFORCES EUROPEAN COMPLICITY IN VIOLATIONS AGAINST MIGRANTS

Libya Crimes Watch (LCW) condemns the renewal of the Memorandum of Understanding (MoU) between the Italian and Libyan authorities on the so-called “management of migration flows”, which represents a continuation of the European Union’s policies of financing abuses and legitimising the forcible return of migrants to Libya, despite the grave violations they face there, which may amount to international crimes.

LCW affirms that the extension of the MoU, initially signed in February 2017¹ between Libya and Italy, perpetuates a legal cover for the practice of pushbacks across the Mediterranean Sea, in clear violation of the principle of *non-refoulement* enshrined in international law, including the 1951 Convention relating to the Status of Refugees.

The financial and technical support provided by Italy and the European Union to the Libyan Coast Guard and the Department for Combating Illegal Migration (DCIM) has directly contributed to the forcible return of migrants to Libya. LCW, along with UN bodies², has documented consistent patterns of grave violations faced by migrants upon return. These include arbitrary detention, enforced disappearance, torture, physical and sexual violence, and human trafficking, occurring within detention centres and prisons operated by armed groups and security agencies affiliated with the authorities in Libya³.

Responsibility for these violations does not rest solely with the Libyan authorities. It extends to the Italian government and the European Union (EU), which continue to fund and train the armed groups and security agencies implicated in such violations, despite being fully aware of their conduct and its consequences. This makes both Italy and the EU complicit and jointly responsible under international law.

The 2017 MoU was established as part of the cooperation framework outlined in the 2008 Treaty of Friendship, Partnership, and Cooperation between Libya and Italy. However, in

¹ [Memorandum of understanding on cooperation in the fields of development, the fight against illegal immigration, human trafficking and fuel smuggling and on reinforcing the security of borders between the State of Libya and the Italian Republic](#). EU Migration Law Blog. 2 February 2017.

² [Final report of the Panel of Experts on Libya submitted in accordance with resolution 2701 \(2023\)](#). UNSC. 13 December 2024.

³ [Annual Report 2024 – Libya: Accountability is the Solution – Violations Continue Amid Impunity](#). LCW, 8 April 2025.

[Human rights organisations warn of the deterioration of the conditions of migrants, refugees and asylum seekers and the worrying shrinkage of civic space in Libya](#). LCW. 9 March 2023.

practice, its implementation has turned into a mechanism for outsourcing Europe's border control to Libya, at the expense of migrants' lives and dignity.

LCW calls on the Italian government and the European Union to immediately terminate the MoU and cease all forms of financial and operational support to the security agencies and armed groups involved in violations. This support must instead be redirected towards independent humanitarian search and rescue operations and the protection of migrants' lives, in line with states' obligations under international human rights law.

LCW further urges the authorities in both eastern and western Libya to end the policy of arbitrary detention of migrants, to ensure the immediate and unconditional release of all those arbitrarily detained, and to close all unofficial and unlawful detention facilities.

LCW also calls on the European Court of Human Rights (ECHR) to examine the responsibility of the Italian government and the European Union for supporting and financing Libyan entities involved in abuses against migrants and refugees, including the potential legal accountability of Italy as a state knowingly contributing to serious violations that may amount to international crimes.

Finally, LCW urges the UN Special Rapporteur on the Human Rights of Migrants to issue an urgent appeal to the Italian government, the European Union, and the Libyan authorities, calling on them to revoke the MoU and reverse the policies that have exacerbated the suffering of migrants and refugees in Libya and across the region.