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## **EU Cooperation with Third Countries on Migration and Asylum: The Case of Libya Revisited**

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### **Abstract**

The so-called “migration crisis” that Europe has been facing since 2015 has led the European Union (UE) to reconsider its partnership with countries of origin and transit, especially Libya, as crucial in the fight against migration. In the meantime, extremely worrying accounts of horrors and serious human rights violations (including slave auctions) perpetrated against migrants and asylum-seekers detained in Libya by members of the Libyan security forces, armed groups and criminal gangs emerge from that country. From this observation and using an effort of analysis and critical reflection based on review of the relevant literature, this chapter attempts to answer the following two key questions: (i) To what extent can it be assumed that the EU indirectly exposes migrants and asylum seekers to unimaginable horrors by directly funding their detention system in Libya? (ii) Is EU cooperation with Libya undertaken in accordance with the values and principles enshrined in Articles 2 and 21 of the Treaty on European Union (TEU), on which the EU is founded? In this sense, the axial goal of this chapter is to analyse the adequacy or lack of adequacy to international and European law of ongoing EU cooperation with Libya in the area of migration and asylum. It therefore concludes by arguing that, to become a true “civil power” and contribute to good global governance of human mobility, the EU must align its migration control policies with its founding principles and values under European and international law.

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