

(English version)

**Question for written answer E-000728/25
to the Commission
Tineke Strik (Verts/ALE), Erik Marquardt (Verts/ALE)
(18 February 2025)**

Subject: Third-party monitoring mechanism in Libya

In its response to parliamentary Question P-001069/2023 ⁽¹⁾ the Commission refers to a ‘third-party monitoring mechanism’ as the main instrument ‘to effectively monitor the implementation of migration projects through a do-no-harm and human rights compliance assessment’ for EU border management funding in Libya. Another response, to parliamentary Question E-003311/2022 ⁽²⁾, refers to the mechanism as a ‘third-party and Human Rights monitoring of operations in Libya’.

However, in a recent letter relating to European Ombudsman case 2089/2023/ACB the Commission stated that the above-mentioned third-party monitoring mechanism does ‘not provide “evidence” that violations of the “do no harm” principle have occurred’ ⁽³⁾.

1. Is the ‘third-party monitoring mechanism’ in Libya monitoring whether assets or funding directly or indirectly provided by the EU and/or its implementing partners are contributing to human rights violations by the Libyan coastguard and other border guard entities in Libya?
2. If not, what was the reason for the incorrect information provided to Members of the European Parliament in the context of the aforementioned written questions?
3. What alternative method does the Commission use to monitor the compliance of EU funding provided for border management in Libya with human rights, as required under Article 21 of the Treaty on European Union?

Submitted: 18.2.2025

**Answer given by Ms Šuica on behalf of the European Commission
(14 May 2025)**

The ‘third-party monitoring mechanism’ in Libya is a tool to help the Commission better understand the situation on the ground, ensuring that EU-funded programs respect human rights and measures are taken when shortcomings in this regard are identified. The contractors’ reports track developments and identify risks. These reports are available to relevant Commission services, including the EU Delegations.

The EU welcomes Libya's willingness to engage in dialogue on migration, uphold human rights, and improve detention conditions, especially for vulnerable individuals. The EU continues to raise these issues with Libyan authorities who are committed to working with the EU, the United Nations, and other partners to enhance conditions and procedures. EU funding does not go directly to Libyan authorities but is channelled through international organisations or Member States.

Respect for international law and human rights, including non-refoulement and protection of migrants, refugees, and asylum seekers, is central to EU policy in Libya. The EU Emergency Trust Fund for Africa and the Neighbourhood, Development and International Cooperation Instrument — Global Europe (NDICI — GE) embed human rights in their design and implementation. The NDICI Regulation ⁽⁴⁾ stresses human rights as a key aspect of EU external action, making them a criterion for funding eligibility and programs implementation.

The Commission monitors its programmes through regular reports from implementing partners, on-the-ground visits, independent expert evaluations and external monitoring. This information supports dialogue with partner countries on migration, asylum, and border management, strengthening a rights-based approach. For border management, the EU-funded Support to Integrated border and migration management in Libya ⁽⁵⁾ action, implemented by Italy’s Ministry of Interior and the International Organisation for Migration, operates under a memorandum of understanding with Libya, ensuring compliance with the ‘do-no-harm’ principle and coordination on search-and-rescue activities.

⁽¹⁾ https://www.europarl.europa.eu/doceo/document/P-9-2023-001069-ASW_EN.html.

⁽²⁾ https://www.europarl.europa.eu/doceo/document/E-9-2022-003311-ASW_EN.html.

⁽³⁾ <https://euobserver.com/migration/arce4e3e46>.

⁽⁴⁾ <https://eur-lex.europa.eu/eli/reg/2021/947/oj/eng>.

⁽⁵⁾ https://trust-fund-for-africa.europa.eu/our-programmes/support-integrated-border-and-migration-management-libya-first-phase_en#:~:text=The%20programme%20aims%20to%20strengthen%20the%20capacity%20of,and%20rescue%20at%20sea%20and%20in%20the%20desert.