Brussels, 13 January 2023

WK 536/2023 INIT

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MEETING DOCUMENT

From:	General Secretariat of the Council
To:	MOCADEM Roundtable

Subject:	MOCADEM Round Table - presentations

Delegations will find enclosed presentations given by IOM and UNHCR in item Ia of the agenda of the meeting of the Mocadem Round Table held on 13 January 2023.

IOM LIBYA

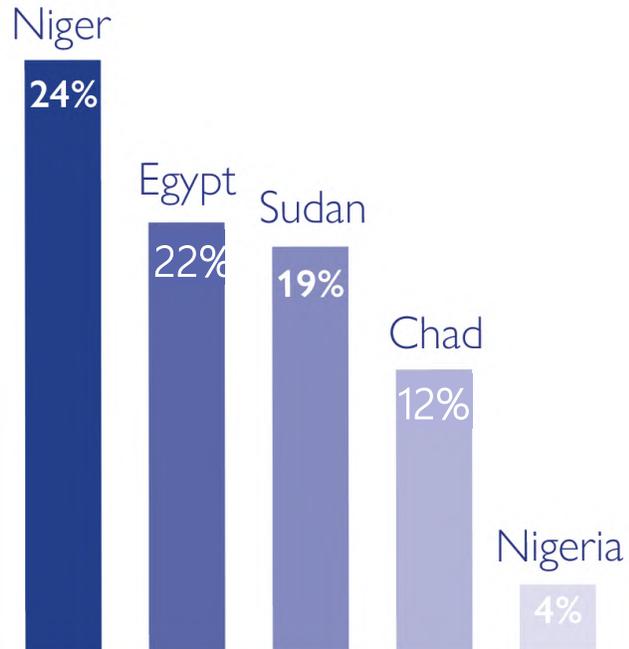## Overview of migration trends and flows on the Central Mediterranean Route through Libya
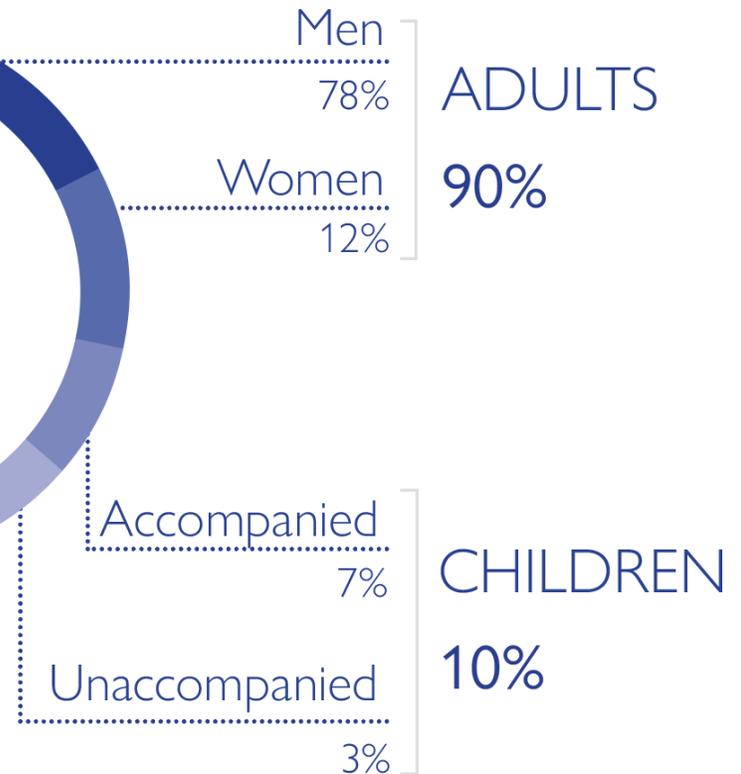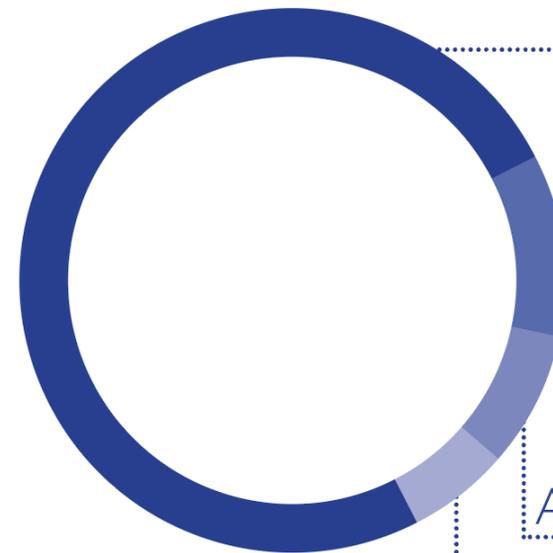
January 2023

IOM UN MIGRATION

Central Mediterranean Route

29% had left from Tunisia

105,577 migrants arrived in **Italy** and **Malta** via the Central Mediterranean Route in 2022 compared to **68,315** in **2021**

51% had left from Libya

20% had left from other countries including **Algeria, Cyprus, Greece, Lebanon,** the **Syrian Arab Republic** and **Türkiye**
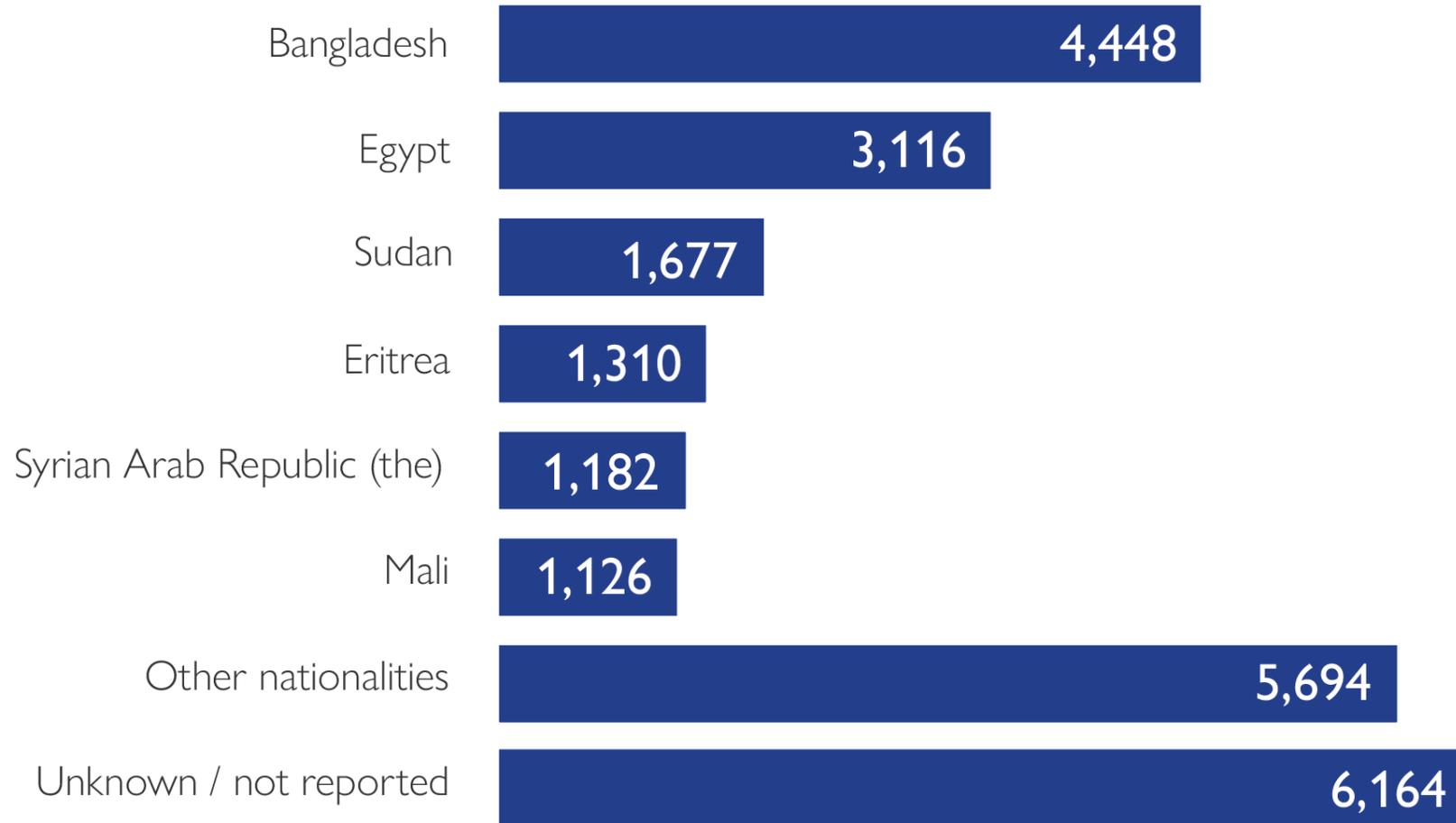
1,373 missing migrants were recorded along the Central Mediterranean Route in 2022 compared to **1,567** in **2021**

24,717 migrants were returned to Libya by the Libyan Coast Guard in 2022 compared to **32,425** in **2021**

Italy

Pozzallo

Tunisia

*percentage based on the available data for arrivals in Italy between January and November 2022

Top nationalities of migrants returned to Libya in 2022

Nationality	Number
Bangladesh	4,448
Egypt	3,116
Sudan	1,677
Eritrea	1,310
Syrian Arab Republic (the)	1,182
Mali	1,126
Other nationalities	5,694
Unknown / not reported	6,164

Arrivals in Italy from Eastern Libya

In 2022, the Italian authorities recorded the arrival of around

17,500

migrants in Italy from Eastern Libya (an estimated 12,000 from Tobruk and 5,500 from Benghazi areas)
(as of 25 November)

Around
5,500
migrants arrived in **Italy** from **Benghazi**

Around
12,000
migrants arrived in **Italy** from **Tobruk** and **Bardia**

Arrivals by air at Benghazi airport using connecting flights coming from Istanbul (Türkiye), Muscat (Oman), Cairo (Egypt) and Tripoli (Libya)

Arrivals by land in Libya from Egypt through Emsaed

Benghazi

Tobruk   Bardia
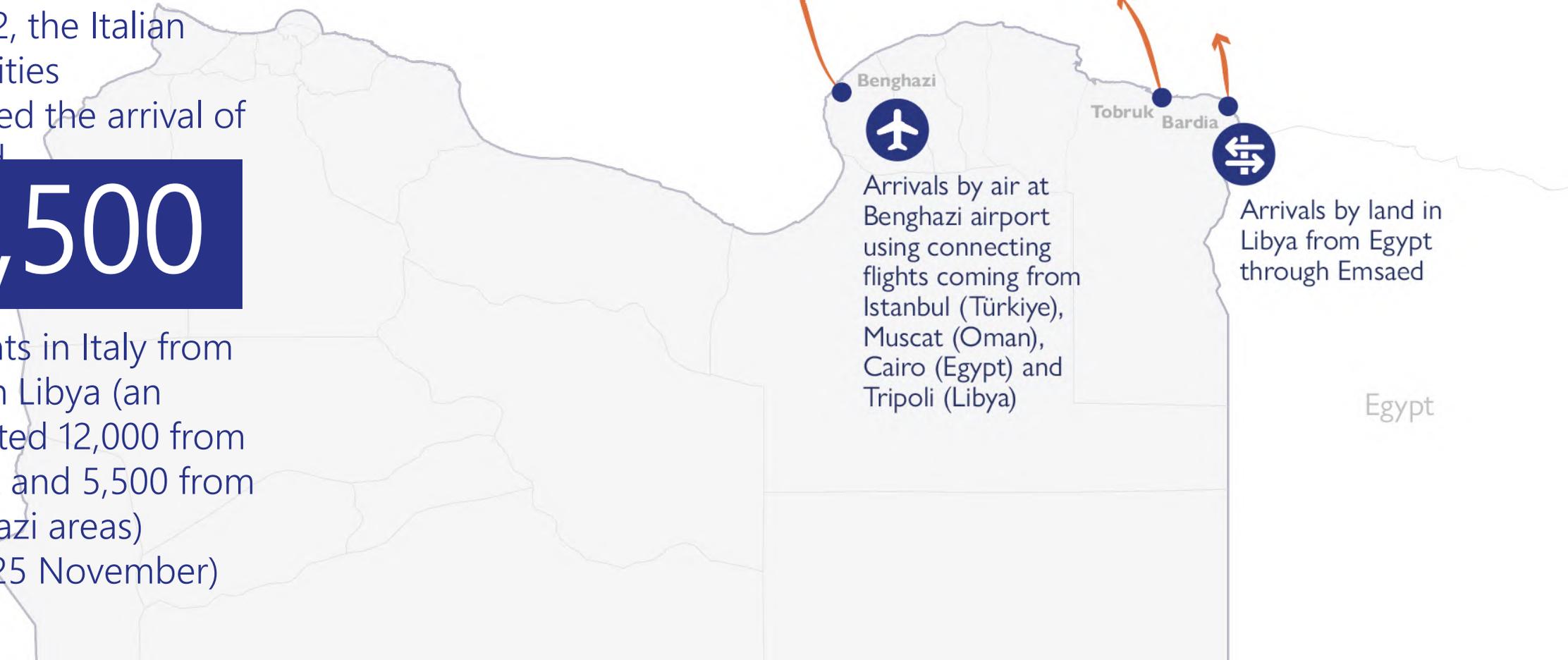
Egypt

Collective expulsions from Libya*

285
incidents of expulsions were recorded in 2022

An estimated
12,573
individuals were reportedly expelled in 2022

Around
two-thirds of expelled individuals (8,324) were sent to Egypt

Sources consulted by IOM and UNHCR to compile this data included IOM key informants, local sources, social media and UNHCR data

*Data as of 30 November 2022

Voluntary Humanitarian Return and Reintegration (VHR)

In 2022, IOM facilitated the return of

11,200

migrants from Libya to 29 countries

Thank you!

IOM • OIM DTM

🏠 *http://dtm.iom.int/libya*

🐦 *@IOM_Libya*

MOCADEM MEETING

UP-DATE ON LIBYA PROGRESS & CHALLENGES

BRUSSELS 13 JANUARY 2023

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1. Departures from Libya & disembarkations in Libya in 2022

- Departures from Libya 76,676 in 2022 compared to 67,915 in 2021 (increase by 13.4%)

- Disembarkation in Libya 24,788 in 2022 compared to 32.425 in 2021 (decrease by 23.5%)

- Arrivals in Italy from Libya 53,173in 2022 as opposed to 31,556 in 2021 (increase by 40.6%)

- Arrivals in Malta from Libya 430 in 2022 as opposed to 832 in 2021 (decrease by 48.3%)

- The likelihood of interception/rescue by Libyan entities has decreased from 47,7% in 2021 to 31.5% in 2022.

- The multiplication of SAR actors in Libya has not led to more rescues/interceptions.

- Likelihood of successful crossing vary from nationality to nationality, from network to network, depends on the "protection you can afford", ranging from 83.5% for Bangladeshi nationals to 43% for Malians. Average 67%.

- Average number of attempts before a successful crossing: data unknown, only anecdotical evidence is available

- Significant increase of large group departures from Eastern Libya on fishing boats in 2nd half of 2022. Estimated 25 % of arrivals in Italy (with mainly Egyptians, Bangladeshi and Syrians on board). Departure points in Tobruk, Benghazi and Ajdabiya

- Death at sea decreased on the CM maritime routes from 1,558 in 2021 to 1,358 in 2022 in spite of the increase in departures, but each discovery of empty boats leads to caution with figures/analysis

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Sea Movement Libya – Italy (Preliminary for 2022)

Sea Arrivals from Libya to Italy in 2022	Sea Arrivals from Libya to Italy in 2021	Change from 2021
53,173	**31,556**	**+40.6%**
Disembarkations in Libya in 2022	Disembarkations in Libya in 2021	Change from 2021
24,788	**32,425**	**-23.5%**
Sea Departures from Libya 21 2022	Sea Departures from Libya in 2021	Change from 2021
78,676	**67,915**	**+13.6%**

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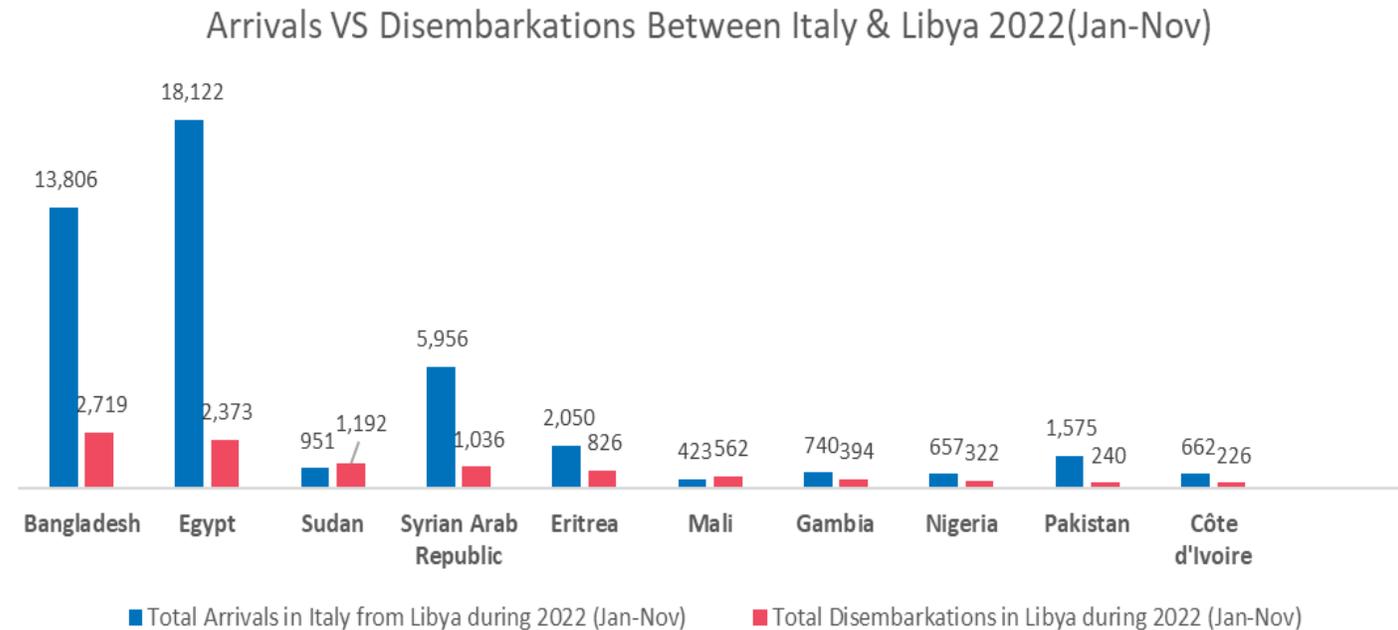
Top 10 Nationalities Disembarked in Libya and Arrivals to Italy in 2022 (Jan-Nov)

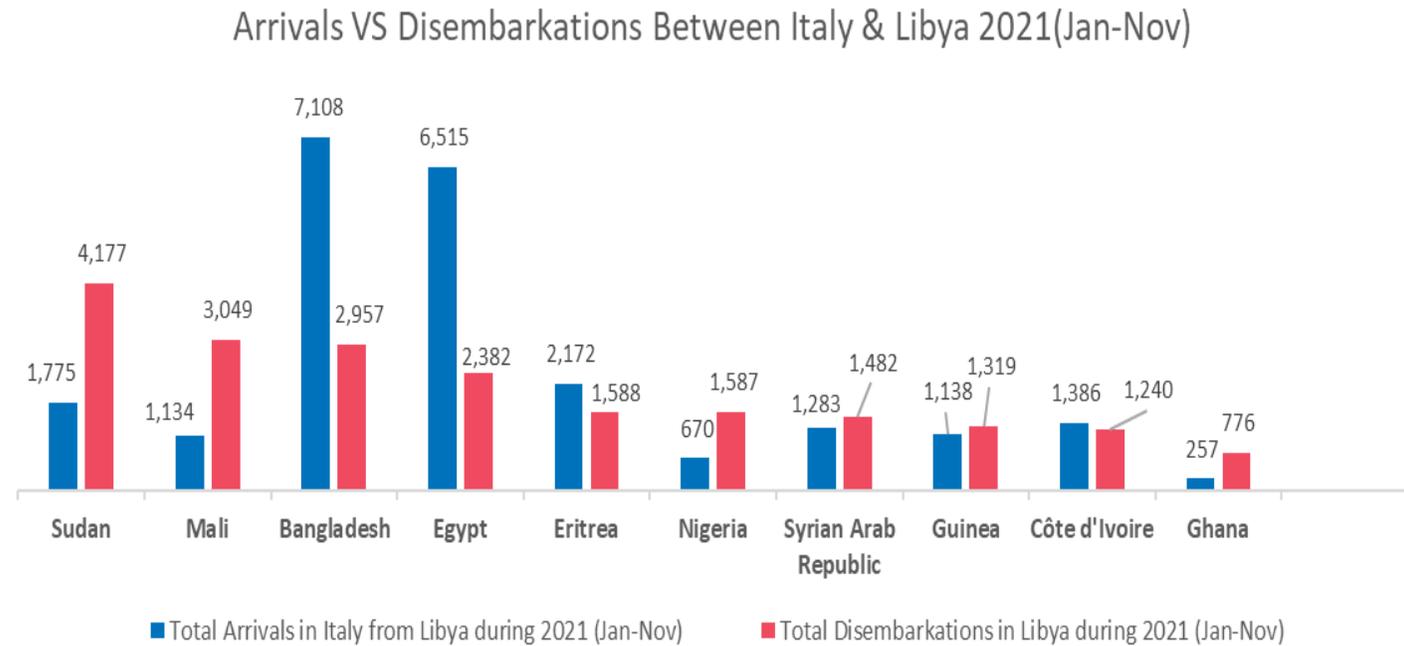| Country	Total Arrivals in Italy from Libya during 2022 (Jan-Nov)	Total Disembarkations in Libya during 2022 (Jan-Nov)
Bangladesh	13,806	2,719
Egypt	18,122	2,373
Sudan	951	1,192
Syrian Arab Republic	5,956	1,036
Eritrea	2,050	826
Mali	423	562
Gambia	740	394
Nigeria	657	322
Pakistan	1,575	240
Côte d'Ivoire	662	226

Arrivals VS Disembarkations Between Italy & Libya 2022(Jan-Nov)

Total Arrivals in Italy from Libya during 2022 (Jan-Nov)   Total Disembarkations in Libya during 2022 (Jan-Nov)

Top 10 Nationalities Disembarked in Libya (Jan-Nov 2022)

Jan-Nov 2021	Persons
Sudan	4,177
Mali	3,049
Bangladesh	2,957
Egypt	2,381
Eritrea	1,588
Nigeria	1,587
Syria	1,482
Guinea	1,319
Côte d'Ivoire	1,240
Ghana	776
Other	9,312
Unknown	1,915
Total	**31,783**

Jan-Nov 2022	Persons		% Change		Rank vs 2021
Bangladesh	2,719	↓	-8%	◆	2
Egypt	2,373	↓	0%	◆	2
Sudan	1,192	↓	-71%	↓	-2
Syria	1,036	↓	-30%	◆	4
Eritrea	826	↓	-48%	◆	1
Mali	562	↓	-82%	↓	-3
Gambia	394	↓	-44%	◆	5
Nigeria	322	↓	-80%	↓	-1
Pakistan	240	◆	100%	◆	14
Côte d'Ivoire	226	↓	-71%	▬	0
Other	428	↓	-95%		
Unknown	11,248	◆	487%		
Total	**21,566**				

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Top 10 Nationalities Disembarked in Libya and Arrivals to Italy in 2021 (Jan-Nov)

Country	Total Arrivals in Italy from Libya during 2021 (Jan-Nov)	Total Disembarkations in Libya during 2021 (Jan-Nov)
Sudan	1,775	4,177
Mali	1,134	3,049
Bangladesh	7,108	2,957
Egypt	6,515	2,381
Eritrea	2,172	1,588
Nigeria	670	1,587
Syrian Arab Republic	1,283	1,482
Guinea	1,138	1,319
Côte d'Ivoire	1,386	1,240
Ghana	257	776

Arrivals VS Disembarkations Between Italy & Libya 2021(Jan-Nov)

■ Total Arrivals in Italy from Libya during 2021 (Jan-Nov)   ■ Total Disembarkations in Libya during 2021 (Jan-Nov)

2. Interceptions / rescue at sea by the Libya "authorities" in 2022

- MRCC Tripoli: unpredictable availability on the phone (exact data unknown). Ability to communicate in English remains an issue. Some of the donated equipment for the MRRC is reportedly still not being used. MRCC cannot predictably mobilize some of the Libyan actors involved in SAR.

- 263 SAR incidents recorded related to 24,788 persons disembarked

- 17 different disembarkation points (DPs) were used (12 in the West and 5 in the East) for these 263 SAR incidents

- No humanitarian organization present at 118 of these disembarkation events (44.8%)

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- It is estimated that in 80% of these 118 disembarkations, access issues prevented the presence of humanitarian organizations. For 20% of these cases, the non-presence of humanitarian organizations was linked to late notification or no notification of disembarkation events.

- Significant fragmentation of the actors in the West involved in SAR with now more than 7 entities and at least 2 the East (possibly a 3rd one assisting)

- Assistance at DPs remains limited (est. 30% of those disembarked received emergency assistance, 725 medical consultations and some medical referrals).

Map of Disembarkation Points in Libya
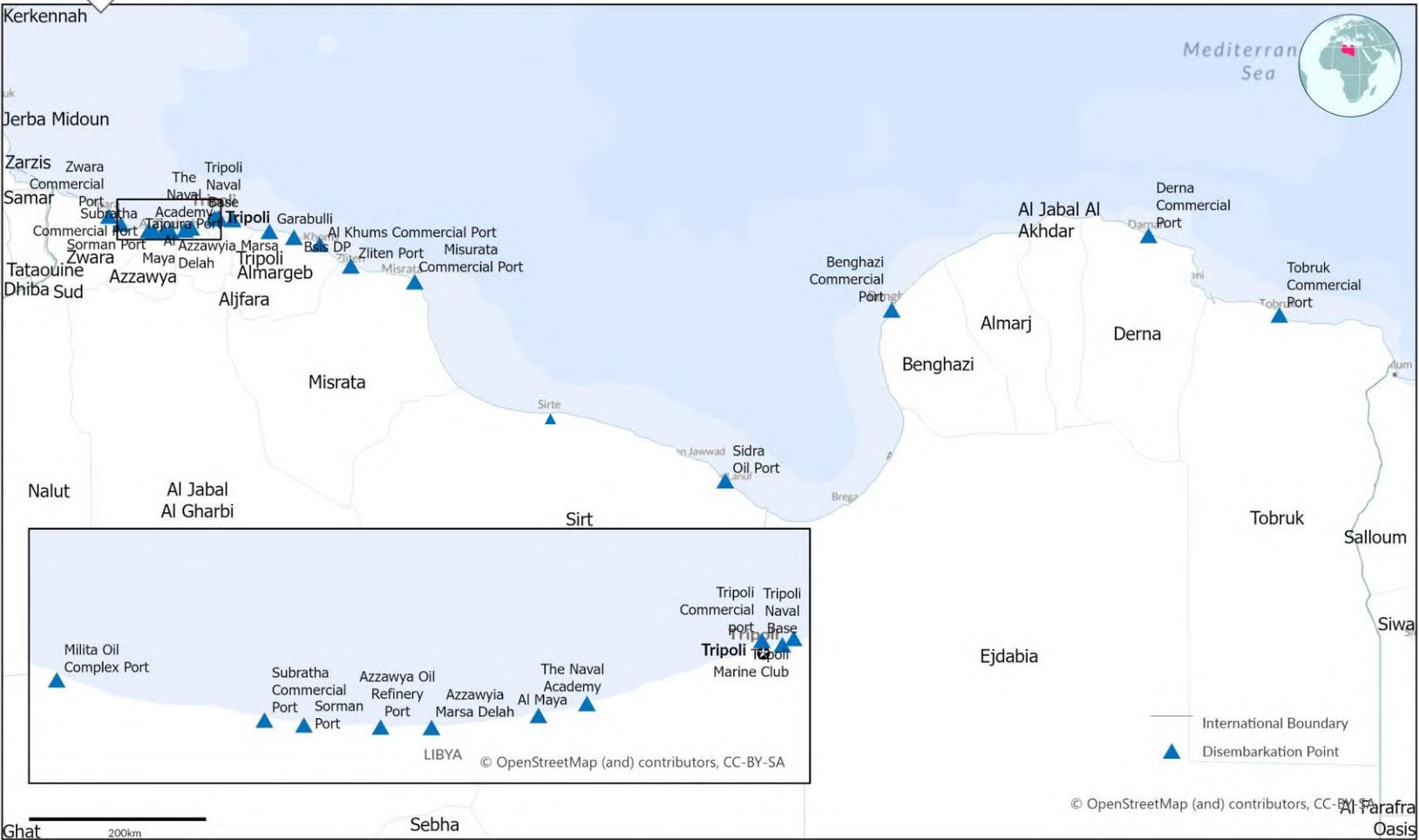
3. Post-disembarkation challenges

- Changes in post-disembarkation *modus operandi*. Time spent there more limited not permitting psycho-social counseling (loss of relatives, family separation, prospects of being detained indefinitely or separated from spouse/children).Protection interviews not possible.

- Humanitarian organizations are not always informed of destination post-disembarkation, but less people seem "to disappear/vanish" *en route* to DCIM detention centres and there is more predictable availability of logistic resources for transportation at disembarkation centres.

- Some protection incidents post-rescue/interceptions on board of boats or during disembarkation are still reported, normally subsequently during prison visits. No pattern of systematic abuses/misconduct.

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- Follow-up/reporting on incidents is impossible due to risks for the individuals concerned and retaliations/threats against the humanitarian organization reporting such incidents. This lack of complain handling mechanism with protection safeguards leads to lack of accountability and impunity. This problem cannot be solved just through training / capacity-building activities.

- Libyan entities involved in SAR are likely to remain reluctant to any form of monitoring

- No changes to be expected in 2023.

4.Outlook for irregular sea departures in 2023

- What intentions surveys & data tell us. Significant differences between foreign communities. Many have reached their final destinations in Libya (e.g., Niger, Chad, majority of Egyptians, Syrians).Others will continue to try to move onward if safe/legal alternative options are not available in Libya. 66% intend to continue their journey [source MMC].

- What intentions surveys & other data sets do not tell us in Libya & in countries neighboring Libya: there is a difference between the intention and the capacity to move onward. Many sub-Saharan Africans willing to move onward do not have the resources to do so.

- Predictive analysis based on-going trends with aggravating/mitigating factors: estimated 70.000 – 80,000 departures in 2023 without instrumentalization by any actor of the irregular departures. Possible variable: a worsening of situation in Egypt could trigger larger scale sea movements. Unknown factor: ability/willingness of some concerned States to better control land/air movements to Eastern Libya and to a lesser extent to Mitiga airport (Tripoli). Progress in Libya's stabilization will not translate in less irregular movements.

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Intentions of onward movement from Libya. Source MMC
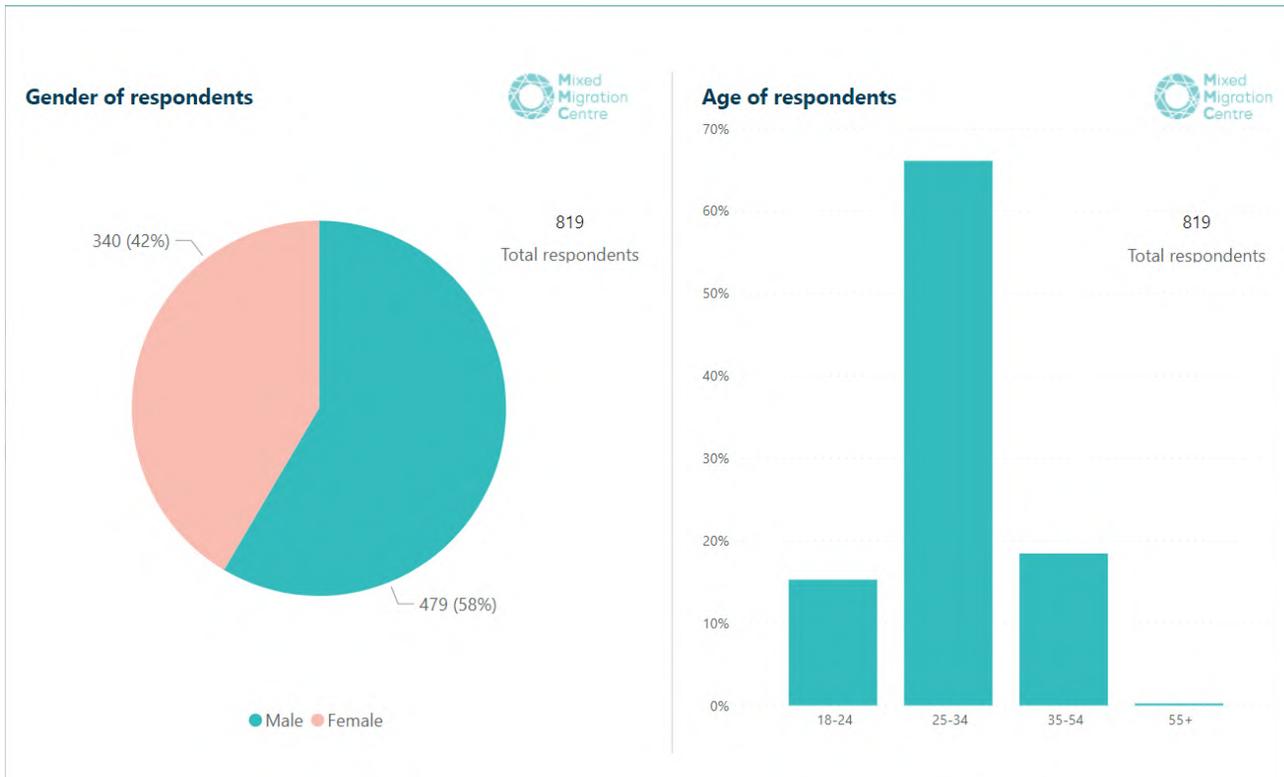
Sample: 2,764 Refugees and Migrants in Libya who started their journey between 2019 and 2021 and were interviewed by MMC in Libya during the period, January 2019 through December 2022.

Question: *"Have you reached the end of your journey ?"*

819 yes 29.8%

1,825 no 66%

113 don't know 4%

7 refused to respond 0.2 %

5. Land & air arrivals to Libya

- 77% of the 680.000 migrants/refugees come from 4 of the 5 neighboring countries. (Niger 24%, Egypt 21%, Sudan 19%, Chad 13%). Main land access route: Niger (48%) followed by Egypt (18%), Sudan (14%) and Chad (13%). (Data from IOM)

- Measuring land movements is challenging with the absence of border/immigration posts, Government control over the main crossing routes. It is believed that movements increased after the pandemic but not on a large scale (indicator: 50 arrivals in Sebha per day with the majority moving northward within a week).

- In 2022, increased arrivals by air to Benina airport (Benghazi) of Syrian, Palestinian and Bangladeshi nationals in a form of "hybrid migration" (i.e., partially regular movements). No data available, possible technical assistance in this area?

- Several sources suggest higher LAAF tolerance/protection of irregular sea movements from the East and facilitation of entry at Benina airport. Two possible causes for this important development: significant financial profits for some LAAF officers, smugglers and for the Military Authority of Investments and Public Works (MAIPW) and attempt to leverage European States support for training, technical assistance such as what is offered by different States to the LCG/Navy in the West.

6. Collective expulsions from Libya

- <mark>14,563 recorded incidents</mark>, but no one is present at border crossings in neighboring countries.

- These expulsions are arbitrary and involve both nationals of the country of return and third country nationals. Some led to loss of life in the desert.

- Main countries of expulsions: Egypt (8,171), Niger (3,895), Sudan (1,535), Chad (243).

- Your support in Chad, Niger and Sudan is critical to manage the situation, as well as EU-AU-UN TTF.

- Options for improved "migration management" at land/airport borders are limited but we need to explore with Libya/EUBAM? Alternative options for safe and orderly readmission (incl. VHR), possibly within the context of the May 2018 border agreement between Libya, Niger, Chad and Sudan. Role for the AU-EU-UN TTF.

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7. Prevention of dangerous journeys

- Need to seek through you and the AU-EU-UN TTF the support of key transit, origin countries along the routes to Libya and of the Libyan authorities to establish projects related to communication with communities to implement relevant States legal obligations under article 31.5 of the United Convention against Transnational Crime and article 17 of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime.

- Advocacy to encourage a debate with the Libyan authorities on a possible regularization measure to gradually authorize the stay and decriminalization the situation of some foreigners that Libya needs/employs, those with Libyan spouses/children, those residing for several years with no criminal records.

8. Combatting human trafficking with a renewed focus & impetus: "less talk, more action"

- Data-sharing challenges (e.g., is the data from FRONTEX debriefings in Italy shared with relevant countries in Africa? Data retention limits by EU agencies leads to loss of intelligence)

- Joint-investigations must start involving Libyan authorities in this field with adequate safeguards

- Tracking tools must be developed (arrest, prosecutions, sentencing)

- Better use of the ROCK and of a route-based approach

- Establishing a national referral mechanism for victims of trafficking and for alleged perpetrators.

- Use of EU/UN sanctions regime remains very limited (only 7 individuals, with little result thus far, many known traffickers are not listed, why?). From what is known to us, EUMS not so much engaged except for the Netherlands/Italy.

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Learning from existing PACTAS pilot project (IOM-UNODC-UNHCR)

- 204 alerts related to human trafficking related to 12.500 individuals in 2022 in 4 countries (Libya, Sudan, Chad and Niger). Most occurred in Libya (189). 54 % of these alerts relate to "release" by law enforcement entities and pose significant risks of re-trafficking.

- Progress: 67 persons arrested for human trafficking and/or smuggling in Libya in 2022.

- While information is available about a small percentage being charged, most of them are released especially if they are Libyan nationals.

- No prison sentence on record in 2022. Some sources indicate payment of fines or "out-of-court financial settlements" for some of those arrested.

9. Access to solutions for refugees

- Decreasing resettlement opportunities in general & to the EU. Current resettlement pledges are well below needs hampering evacuation efforts.
  - ➤ Libya: 30 from 1 EUM & 200 non-EU states
  - ➤ ETM Niger: 375 from 3 EUMS & 100 non-EU states (total: 450)
  - ➤ ETM Rwanda 170 from 2 EUMS & 300 non-EU states (total: 470).

- Slow rotations out of ETM Niger/Rwanda
- Estimated resettlement needs in Libya for 2023 remain modest to avoid pull factors (3,275) and given low resettlement in-take.
- Thanks for EU funding for the ETMs
- Only one country (ITA) involved in humanitarian corridors and no labour migration programme open to refugees.

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- Regularization for some refugees currently not negotiable, but continuous stay possible for some nationalities.
- Many refugees excluded from any support due to on-going discriminatory restrictions imposed by the authorities on registration (9 nationalities: Ethiopia, Eritrea, Iraq, Palestine, Somalia, South Sudan, Sudan, Syria, Yemen).
- The number of refugee remains around 44,724 & reviewing numbers is a sensitive issue. 35% are women. No significant changes in 2022
- Most refugees (like migrants) are employed (75%) without formal contract
- Type of employment vary with better conditions for Arab refugees
- Almost impossible for refugees to get cash assistance due to the lack of required documentation to access the banking system.

10. Detention practices in 2022 - analysis

- Fragmentation of the responsibility/accountability among different actors
- Numbers relatively stable (DCIM DCs = 3,885, SSA/DCSIM DCs est. 3,000).
- 14 active detention centres (DCs) under DCIM, 2 under SSA/DCSIM
- Other detention/interrogation centres exist under SSA, MoJ, militia control
- Conditions in DCs remain in general unchanged from sub-standard to appalling
- Progress: one DC for women with female manager and female guards in Abusliem and one DC for unaccompanied minors in Shara Zawya
- No progress on alternatives to detention

Priority for common advocacy

- Provision of advice to the Libyan authorities to develop non-discriminatory, enforceable, harmonized, and monitorable legal and policy frameworks to promote rule of law in Libya in line with international human rights norms and the Libya-UN sustainable development cooperation framework for 2023-2025.

- Call for gradual end of detention for children and women in 2023 with the establishment of a functional weekly registration alternative and the opening of some safe shelters drawing from lessons learnt in the last 5 years.

- Establishment of an individual judicial review mechanism for migrants and refugees in detention in line with Libya Law No.19 and relevant international HR standards. A pilot phase could target two DCIM detention centres. EUMS could assist.

26 Detention Centers

15 Regularly visited by UNHCR & Partners

9 Closed or empty detentions

2 Controlled by SSA
No UNHCR & Partner Access

Legend

- Active DC
- Detention under SSA
- Closed or Inactive DC
- National Capital
- Mantika Capital
- Mantika
- International Boundary

Creation date: 10 August 2022.   Sources: DCIM Libya.   Feedback: Field Protection Unit, UNHCR Libya.

11. Navigating difficult options

- Stronger criticisms by NGOs and refugee/migrant-led organizations for what we do and what we do not do. Increased reputational risks in an already challenging "ecosystem".

- Need to seek strategic benefits/"return on investment" of engaging with municipalities to open protection space for all and better targeting of the needs

- Exploring working with/through faith-based organizations

- Need for better alignment of our respective communication strategies without concealing challenges

- Guard against quick fixes: **the holding of elections will not change anything for migrants and refugees**

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