

II. Addressing the Issue of Migration in Libya

Introduction

Since 2006, the International Organization for Migration (IOM) has played an active role in addressing complex issues of migration in Libya, whose geographic location, largely uncontrolled Mediterranean coast, and relatively well regulated neighboring states makes it a high-traffic area for migrants in addition to the country's own internally displaced persons (IDPs).¹⁹⁷ IOM's Displacement Tracking Matrix (DTM) categorizes migrants in Libya as long-term migrants (primarily from Chad, Egypt, Niger, and Sudan), circular migrants (from Bangladesh, North Africa, and Sudan), and transit migrants (from East and West Africa).¹⁹⁸ Whereas long-term migrants tend to be seeking work, circular and transit migrants are typically fleeing conflict and ultimately hope to return to their country of origin or migrate on to Europe.¹⁹⁹ However, migrants tend to remain in Libya, the world's most common transit country, for more than one year before moving to a second destination country.²⁰⁰ The majority of migrants in Libya are concentrated in the cities of Almargeb, Misrata, and Tripoli, all located on the northwestern coast.²⁰¹ Additionally, since the outbreak of civil war in 2011, over 300,000 Libyans have fled their homes and become IDPs, the second-highest incidence of internal displacement in North Africa after Sudan.²⁰²

Alongside local partners in the Mediterranean region, IOM has established programs for humanitarian assistance, community capacity building, anti-trafficking and smuggling, and repatriation or reintegration for migrants and IDPs.²⁰³ With an estimated 700,000 to one million migrants in Libya as of 2016, considerable work remains to address the needs of both migrants and their host communities.²⁰⁴ However, civil conflict, lack of financial resources, and deteriorating rule of law present significant obstacles to addressing issues of migration in Libya.²⁰⁵ In July 2014, heightened instability in Libya led to the evacuation of IOM staff from the Tripoli-based office, though IOM remains active via its partners on the ground.²⁰⁶ In August 2017, IOM Director General William Swing reiterated IOM's prioritization of the migration situation in Libya as it pertains to both humanitarian needs and the achievement of the Sustainable Development Goals (SDGs), and he expressed hope that IOM staff will be able to reenter Libya in the near future.²⁰⁷

International and Regional Framework

The international community has adopted a vast set of normative principles and practical guidelines to address various migration policy areas. Most recently, the United Nations (UN) General Assembly adopted the *New York Declaration for Refugees and Migrants* (2016), in which Member States renewed their recognition of the benefits and challenges of mass human mobility and reaffirmed commitments to sustainable and "people-centered" policies. ²⁰⁸ Member States are further guided by general human rights frameworks, including the *Universal Declaration of Human Rights* (1948), the *Convention on the Elimination of All Forms of Discrimination against Women* (1979), and the *Convention on the Rights of the Child* (1989), which reaffirm the inherent dignity and value of all persons, regardless of migratory status. ²⁰⁹ In addition, the *UN Guiding Principles on Internal Displacement* (1998) outline non-legally binding principles for the rights of IDPs, including the right to seek safety in another part

¹⁹⁷ IOM, Libya, 2017; UNHCR, Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges, p. 148.

¹⁹⁸ IOM, Libya's Migrant Report: Round 10, 2017, p. 4.

¹⁹⁹ Ibid.

²⁰⁰ IOM, The human trafficking and other exploitive practices prevalence indication survey, 2017, pp. 5, 9.

²⁰¹ IOM, Libya's Migrant Report: Round 10, 2017, p. 7.

²⁰² Internal Displacement Monitoring Centre, *Database*, 2017; *That it should come to this: the four-year descent from Arab spring to factional chaos*, The Economist, 2015.

²⁰³ IOM, *Libya*, 2017.

²⁰⁴ Ibid.

²⁰⁵ Ibid.

²⁰⁶ IOM, IOM Libya Migration Crisis Operational Framework 2017-2019, 2017, p. 8.

²⁰⁷ IOM, 2030 Agenda for Sustainable Development, 2015; IOM, Libya Remains Top Priority for UN Migration Agency: DG Swing in Tripoli, 2017.

²⁰⁸ UN General Assembly, New York Declaration for Refugees and Migrants (A/RES/71/1), 2016, p. 24.

²⁰⁹ UN General Assembly, Convention on the Elimination of All Forms of Discrimination against Women (A/RES/34/180), 1979; UN General Assembly, Convention on the Rights of the Child (A/RES/44/25), 1989; UN General Assembly, Universal Declaration of Human Rights (A/RES/217 A (III)), 1948.



of the country or abroad, and the right to obtain legal identification documents, such as passports and birth certificates. The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (2009) echoes the aforementioned international norms and calls upon states to cooperate with international organizations (IOs) when necessary to implement protections. Understanding that migrants are often the victims of human trafficking or smuggling, Member States have adopted several documents to address the legal and policing aspects of these crimes as well as care for rescued victims, including the UN Global Plan of Action to Combat Trafficking in Persons (2010), the Convention against Transnational Organized Crime (2001), Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children (2001), and Protocol Against the Smuggling of Migrants by Land, Sea, and Air (2001), though the capacity to implement these plans has been limited by the vast expansion and professionalization of the smuggling industry, which has grown increasingly dominated by armed groups. Furthermore, Article 98 of the United Nations Convention on the Law of the Sea (1982) (UNCLOS) and the International Convention on Maritime Search and Rescue (1979) require coastal states to establish search and rescue procedures and permit maritime neighbors to assist when necessary, but since Libya has signed but not ratified UNCLOS, the proper delineation of responsibilities is legally ambiguous.

Since the 2015 adoption of the SDGs, IOM has made concerted efforts to incorporate development targets into its work in Libya. ²¹⁴ One critical target is the construction of datasets that include migratory status and other demographics (SDG 17.18) to help build government and societal capacity for development. ²¹⁵ The SDGs also set goals of ensuring safe and decent work for migrant workers (SDG 8.8) and reducing by three percent the costs of sending remittances from states with migrant workers to their home states (SDG 10.C). ²¹⁶ In addition, the SDGs seek to eliminate all forms of exploitation, violence, and labor and sex trafficking, with specific attention to women, children, and migrants (SDGs 5.2, 8.7, 16.2). ²¹⁷ Finally, SDG 10.7 calls for orderly and responsible migration policies, a goal that is further articulated in the *New York Declaration*. ²¹⁸ Taken together, these SDGs, particularly 8, 9, 11, and 16, parallel IOM's aim to assist migrants of all types while also helping states to capture the benefits of migration for economic and social development by investing in human capital and risk management strategies. ²¹⁹

Role of the International System

As the primary intergovernmental organization that works in migration, IOM plays a key role in addressing issues that occur before, during, and after migration in Libya, alongside state government partners, such as the Libyan and Italian coast guards, the Libyan Directorate for Combatting Illegal Migration, and the Libyan Ministries of Health and the Interior, in addition to local governments and Civil Society Organizations.²²⁰ IOM's mission in Libya is funded by the UN Central Emergency Response Fund, European Union (EU) Humanitarian Aid, and various European governments.²²¹ Whereas IOM's mission covers all types of migrants, its partner, the UN High Commissioner for Refugees (UNHCR) focuses on the asylum-seekers within Libya, primarily from the Syrian Arab

²¹⁰ UN OCHA, UN Guiding Principles on Internal Displacement, 1998, pp. 8-10.

²¹¹ African Union, AU Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), 2009, pp. 7-8, 11.

²¹² UN General Assembly, Convention against Transnational Organized Crime (A/RES/55/25), 2001; UN General Assembly, Protocol Against the Smuggling of Migrants by Land, Sea, and Air (A/RES/55/25), 2001; UN General Assembly, Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children (A/RES/55/25), 2001; UN General Assembly, United Nations Global Plan of Action to Combat Trafficking in Persons (A/RES/64/293), 2010.

²¹³ International Convention on Maritime Search and Rescue, 1979; OLA, 2017, Chronological list of ratifications, accessions, and successions to the Convention and the related Agreements; UNCLOS III, United Nations Convention on the Law of the Sea, 1982, p. 60.

²¹⁴ IOM, 2030 Agenda for Sustainable Development, 2015.

²¹⁵ Ibid.

²¹⁶ Ibid.

²¹⁷ Ibid.

²¹⁸ Ibid

²¹⁹ Rosengärtner & Lönnback, Developing a global partnership on migration and development in the post-2015 agenda, 2013, p. 118, 122

²²⁰ IOM, About IOM, 2017; IOM, IOM Migration Crisis Operational Framework (MC/2355), 2012, pp. 1-9; IOM, Libya, 2017.

²²¹ IOM, *Libya*, 2017.



Republic, Palestine, and Eritrea, and the refugees en route to Europe via Libya's Mediterranean border.²²² Major projects, as outlined in IOM's *Libya Migration Crisis Operational Framework 2017-2019* (MCOF), include transit away from conflict zones via its transportation company network, (re)integration of IDPs or migrants, and medical and psychosocial assistance.²²³ IOM also assists in stabilizing communities with influxes of returnees or new migrants, and it successfully facilitated out-of-country voting in the 2012 Libyan election.²²⁴ Furthermore, IOM has provided technical assistance, such as identifying and processing asylum cases along the Libya-Tunisia border.²²⁵ IOM Libya has trained government and other relevant local actors in Libya, including the Libyan Directorate for Combating Illegal Migration, Libyan Coast Guard, Ministry of Health, on healthcare, human rights, and human trafficking, and also helps set up standard operating procedures of these policy areas.²²⁶

In response to the onset of Libya's civil war, the Security Council adopted resolution 1970 (2011), *Peace and security in Africa*, which imposed sanctions and referred government officials to the International Criminal Court for suspected crimes against humanity, including against migrant populations.²²⁷ In its resolution 2213 (2015) on Libya, the Security Council called for a ceasefire and condemned severe human rights violations.²²⁸ The Security Council recognized that trafficking and smuggling of migrants across the Mediterranean Sea undermines attempts to stabilize the region in resolution 2240 (2015), *Maintenance of international peace and security*, and therefore authorized Member States to seize vessels suspected to be part of these crimes for a one-year period.²²⁹ In resolution 2259 (2015), the Security Council hailed the signing of the *Libyan Political Agreement* (2015), which established the internationally-recognized Government of National Accord (GNA) as the official Libyan government, and urged the GNA to hold perpetrators of human rights violations in Libya accountable.²³⁰ In its most recent resolution on Libya, 2362 (2017), the Security Council extended the sanctions in resolution 1970 until 15 November 2018.²³¹

Several other UN bodies have addressed the issue of migration in Libya. Against the backdrop of the SDGs, the UN Development Programme (UNDP) partners with local governments to rebuild conflict-torn infrastructure and equip local Civil Society Organizations (CSOs) to push for democratic institutions and facilitate community cohesion, all crucial means of addressing the root causes of migration issues in Libya.²³² UNDP, UNHCR, and the UN Support Mission in Libya held a summit in September 2017 with local legal experts and government officials in hopes of finding alternatives to migrant detention centers, the outcomes of which are as of yet unknown.²³³ Recognizing the strategic value of the Mediterranean region for international security, the General Assembly has repeated calls for coordination against transnational trafficking and for the improvement of social and economic conditions to facilitate stability, most recently in resolutions 71/85 and 72/1 (December 2016 and October 2017 respectively) on Mediterranean cooperation.²³⁴ In resolution 71/173 of 3 February 2017 on refugees in Africa, the General Assembly underscored that assistance to and protection of refugees and IDPs should be timely, sustainable, and primarily led by the host state, while encouraging the African Union to revitalize partnerships with IOs through its Subcommittee on Returnees, Refugees, and IDPs and the African Commission on Human and People's Rights Special Rapporteur on Refugees, Asylum-seekers, Migrants, and IDPs.²³⁵ One successful transnational partnership has been with the EU Border Assistance Mission in Libya (EUBAM), which has trained Libyan officials in border security management

²²² UNHCR, Libya, 2017.

²²³ IOM, IOM Libya Migration Crisis Operational Framework 2017-2019, 2017, pp. 10-12.

 $^{^{224}}$ IOM, IOM Migration Crisis Operational Framework (MC/2355), 2012, p. 6.

²²⁵ Ibid., p. 7.

²²⁶ IOM, *Libya*, 2017.

²²⁷ UN Security Council, *Peace and security in Africa (S/RES/1970 (2011))*, 2011, pp. 1-10.

²²⁸ UN Security Council, *Libya (S/RES/2213 (2015))*, 2015, pp. 1-7.

²²⁹ UN Security Council, Maintenance of international peace and security (S/RES/2240 (2015)), 2015, pp. 1-6.

²³⁰ Libyan Political Agreement, 2015; UN Security Council, Libya (S/RES/2259 (2015)), 2015, pp. 1-5.

²³¹ UN Security Council, *The situation in Libya (S/RES/2362 (2017))*, 2017, pp. 1-5.

²³² UNDP, Our projects, 2017.

²³³ UNDP, On the way to reconciliation: Addressing arbitrary detentions in Libya, 2017.

²³⁴ UN General Assembly, Strengthening of security and cooperation in the Mediterranean Region (A/RES/71/85), 2016, pp. 1-3; UN General Assembly, Political declaration on the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons(A/RES/72/1), 2017, pp. 1-6.

²³⁵ IOM, Libya, 2017; UN General Assembly, Assistance to refugees, returnees, and displaced persons in Africa (A/RES/71/173), 2016, pp. 1-8.



practices since 2013 and has established a Border Management Working Group to promote inter-ministerial coordination in this area.²³⁶ EUBAM's current mandate was set to expire 21 August 2017.²³⁷

At the local level, IOM, in partnership with Libya's Ministry of Culture and Civil Society, has trained over 30 CSOs in mental health and psychosocial services and has built three social and recreational centers in Libya to encourage positive relations among migrants, IDPs, and host communities.²³⁸ Two "community stabilization programs" in the southern cities of Sabha and Al Qatrun, organized and funded by IOM, the EU, and the German Cooperation, work to foster peaceful community interactions via vocational training and social cohesion programs.²³⁹ For example, in Sabha, IOM brought together national Ministry of Local Governance leaders, the mayor, and other locals to address gaps in the provision of basic needs like water and electricity as well as to build a recreation center that promotes physical and mental health while fostering community interaction.²⁴⁰ At the University of Tripoli, IOM helped to design a Master's program in "psychosocial interventions in war-torn areas."²⁴¹ Since IOM staff evacuated to Tunisia in 2014, one major challenge to these programs has been maintaining relationships with local partners from afar, but the staff remains able to travel to Tripoli on a limited basis to continue the dialogue between national and local stakeholders.²⁴²

Combating the Smuggling and Trafficking of Persons

Estimates for the cost of migrating, legally or illegally, across the Central Mediterranean range from \$1,000 to \$5,000,²⁴³ Given a lack of resources and access to safe migration routes, refugees and migrants are often forced to take dangerous paths to their destination country, thereby rendering them vulnerable to trafficking or smuggling.²⁴⁴ These two crimes are legally distinct and present related but different challenges.²⁴⁵ The *Protocol to Prevent*, Suppress, and Punish Trafficking in Persons, Especially Women and Children defines "trafficking in persons" as "the recruitment, transportation, harbouring or receipt of persons, by the means of threat or use of force or other forms of coercion...for the purpose of exploitation."246 A 2017 survey by IOM's Missing Migrants Project states that 91% of migrants worldwide who had experienced forced labor and/or physical violence were migrants inside Libya.²⁴⁷ Common forms of forced labor include cleaning, gardening, farming, and construction.²⁴⁸ Forced collection or sale of blood or organs is another form of trafficking prevalent among migrants in Libya.²⁴⁹ Sex trafficking, while known to be prevalent, faces the challenge of data collection, as many victims are hesitant to discuss their experiences.²⁵⁰ More women report being victims of sex trafficking, while labor trafficking is more prevalent among men.²⁵¹ Children represent an increasing proportion of trafficking and smuggling victims.²⁵² The longer the journey from origin to destination country, the more susceptible migrants become to trafficking and exploitation.²⁵³ Sexual or physical violence and war are the most reported reasons for leaving the transit country and participating in secondary migration for Central Mediterranean migrants.²⁵⁴

²³⁶ EU Border Assistance in Libya, *About EU Border Assistance in Libya (EUBAM)*, 2017.

²³⁷ Ibid.

²³⁸ IOM, IOM trains Libya civil society organizations in psychosocial support, 2014; IOM, Libya, 2017.

²³⁹ IOM, *Libya*, 2017.

²⁴⁰ IOM, IOM promotes community stability and development in southern Libya, 2017.

²⁴¹ IOM, *Libva*, 2017.

²⁴² IOM, IOM Libya Migration Crisis Operational Framework 2017-2019, 2017, pp. 8, 28.

²⁴³ IOM, The human trafficking and other exploitive practices prevalence indication survey, 2017, p. 10.

²⁴⁴ UN General Assembly, In safety and dignity: Addressing large movements of refugees and migrants: Report of the Secretary-General (A/70/59), 2016, p. 8.

²⁴⁵ Ibid., pp. 8-9.

²⁴⁶ UN General Assembly, *Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children* (A/RES/55/25), 2001, p. 32.

²⁴⁷ IOM, The human trafficking and other exploitive practices prevalence indication survey, 2017, p. 3.

²⁴⁸ Ibid.

²⁴⁹ Ibid., p. 4.

²⁵⁰ Ibid.

²⁵¹ Ibid.

²⁵² Ibid.

²⁵³ Ibid.

²⁵⁴ Ibid., p. 10.



"Smuggling," defined in the Protocol against the Smuggling of Migrants by Land, Sea and Air, refers to "the procurement, in order to obtain...a financial or other material benefit, of the illegal entry of a person into a State party of which the person is not a national or a permanent resident."255 Though migrants may not be able to find any other means of reaching their destination, smuggling fees and bribes further increase the cost of movement, especially in cases where multiple smugglers are used to travel across several countries, as is often the case with the transit country of Libya.²⁵⁶ Recently, IOM has criticized Facebook for allowing smugglers to post videos of the torture migrants and demand ransom payments from their families.²⁵⁷ In coordination with the Libyan Coast Guard, IOM has provided food and medical treatment to over 10,000 migrants rescued from smugglers at sea in 2017.²⁵⁸ One challenge to combating smuggling is protecting the physical safety of migrants, which was highlighted in a June 2017 conflict wherein one migrant was killed and others injured when the Libyan Coast Guard attempted to apprehend smugglers.²⁵⁹ Without a viable justice system in place, it also remains difficult for Libya to prosecute trafficking and smuggling cases.²⁶⁰ Since 2014, African and European states have coordinated to combat trafficking and smuggling via the Khartoum Process, in which Member States build policy frameworks, exchange expertise, and combine resources, all with the support of IOM, UNHCR, and the UN Office on Drugs and Crime.²⁶¹ However, this work is made more challenging with armed factions that oppose the internationally-recognized GNA, particularly the Libya Dawn Militia Alliance in the west and al-Oaeda affiliate Ansar al-Sharia in the east, attempting to use force to stop migrants from leaving for Europe.²⁶² Such actions force smugglers to find new routes, thereby making them more difficult to track over time.²⁶³ This problem is further exacerbated by the infighting between various factions in Libya, and inability to establish a unified leadership, thus this makes establishing a strong accountable justice system and government a top priority.²⁶⁴

One of the most dangerous yet most direct migration routes to Europe, often used by smugglers and traffickers, is across the Mediterranean Sea, where IOM's Missing Migrants Project recorded 5,143 deaths in 2016.²⁶⁵ Between 18 March 2016 and 24 September 2017, 134,549 migrants arrived in Europe by sea.²⁶⁶ In a 2016 report to the General Assembly, the Secretary-General noted resource and transnational coordination deficiencies in current rescue and disembarkation protocols for national coast guards and other rescue groups.²⁶⁷ The DTM coordinates with field agents and has conducted over 20,000 surveys to monitor migration flows in the Mediterranean region and beyond, and the DTM shares its data and reports with governments and other relevant actors in hopes of addressing known policy deficiencies.²⁶⁸ IOM has a Counter Human Trafficking office inside Libya that helps rescued victims access physical and psychological care.²⁶⁹ Further, in September 2017, IOM and international CSO Polaris announced the launch of a new global repository to organize and increase access to existing trafficking datasets.²⁷⁰ With this information sharing, IOM intends to help Libya draw up a National Action Plan and other legislation to combat trafficking and smuggling, as well as begin to disseminate information about where trafficking victims can receive protective and care services.²⁷¹

²⁵⁵ UN General Assembly, Protocol Against the Smuggling of Migrants by Land, Sea, and Air (A/RES/55/25), 2001, p. 41.

²⁵⁶ IOM, Current migration trends from Bangladesh to Italy, 2017, p. 5.

²⁵⁷ Batha, Facebook lambasted over ransom video of traffickers abusing migrants, *Reuters*, 2017.

²⁵⁸ IOM, *IOM Libya Monthly Update*, 2017, p. 1.

²⁵⁹ Ibid

²⁶⁰ UN Security Council, Special report of the Secretary-General on the strategic assessment of the United Nations presence in Libya (S/2015/113), 2015, p. 3.

²⁶¹ IOM, EU-Horn of Africa migration route initiative (Khartoum Process), 2017.

²⁶² Exclusive—Armed group stopping migrant boats leaving Libya, Reuters, 2017; Guide to key Libyan militias, BBC, 2016.

²⁶³ Exclusive—Armed group stopping migrant boats leaving Libya, Reuters, 2017.

²⁶⁴ UN Security Council, Statement by the President of the Security Council (S/PRST/2017/19), 2017, pp. 1-2

²⁶⁵ IOM, Mediterranean, 2017.

²⁶⁶ IOM, Migration flows—Europe, 2017.

²⁶⁷ UN General Assembly, In safety and dignity: Addressing large movements of refugees and migrants: Report of the Secretary-General (A/70/59), 2016, p. 8.

²⁶⁸ IOM, Flow monitoring: Displacement Tracking Matrix, 2017, p. 3.

²⁶⁹ IOM, Migration Flows—Europe, 2017.

²⁷⁰ IOM, UN Migration Agency, Polaris to launch global data repository on human trafficking, 2017; UN, High Commissioner for Refugees, UNHCR Global Strategy- Beyond Detention 2014-2019, 2016.

²⁷¹ IOM, *Libya*, 2017.



Addressing the Needs of Internally Displaced Persons

Decades of weak and often corrupt public figures and government-sanctioned human rights violations have contributed to distrust in public institutions and continued instability and conflict between armed, ethnic-based factions, which has displaced more than 300,000 people within Libya as of 2016.²⁷² Most of Libya's IDPs come from the baladiyas (localities) of Benghazi, Misrata, and Sirt, and the former two baladiyas also house sizable IDP populations.²⁷³ Concentration of IDPs in urban communities can drain already-scarce resources in conflict zones and under-planned cities, leading to humanitarian crises and secondary displacement from makeshift housing to new shelters or detention centers.²⁷⁴ Although much of the international response to IDPs focuses on necessary short-term assistance, IDPs also face long-term challenges that require durable solutions: return to place of origin, local integration, or resettlement.²⁷⁵ The 2015 Libyan Political Agreement included a commitment to the safe and voluntary return of IDPs to their homes and a recognition that the state had caused financial burden for IDPs, yet factional divisions, unstable currency, power outages, and water shortages have ensured that implementation remained slow.²⁷⁶ The mayor of Misrata and the Tawergha Local Council signed an agreement to repatriate Tawergha IDPs on 19 June 2017, and IOM will continue to monitor the progress of this agreement's implementation in the coming months.²⁷⁷ Despite IOM's advocacy efforts, the Libyan government continues to hold IDPs, as well as migrants, in deteriorating camps and detention centers, which the government claims is the only option given inadequate resources to integrate IDPs and migrants into communities.²⁷⁸ The UN Human Rights Council has also repeatedly expressed its concern with the criminalization of migrant populations and has emphasized that their indefinite detention without due process constitutes an abuse of human rights. ²⁷⁹

Until alternatives to such centers are established, IOM has provided clothing, clean water, and medical treatment for diseases, such as scabies, to IDPs and migrants inside Libya. However, IOM and its humanitarian aid partners increasingly have struggled for safe access to IDPs in need due to a rise in indiscriminate violence and erosion of stable governance. The DTM began to profile 13 Libyan detention centers in June 2017, including information about health and sanitation conditions, amount of food and whether it is provided by the government or another organization, and the extent to which migrants have identification documents, in hopes of enhancing means of delivering humanitarian assistance until alternatives to detention centers are achieved. The increase of the delivering humanitarian assistance until alternatives to detention centers are achieved.

Promoting the Link Between Migration and Sustainable Development

Migration is neither an explicit cause nor consequence of underdevelopment, but the way that it is managed has implications for the development of both sending and host communities.²⁸³ IOM has made it a priority to ensure that the migration situation in Libya promotes sustainable development rather than hinders it.²⁸⁴ While migration can address labor shortages in host communities, it can also depress wages for native workers, resulting in short-term income inequality in countries such as Libya that lack strong public institutions for redistribution.²⁸⁵ Additionally, many Libyan cities lack sufficient basic resources such as water and healthcare facilities to accommodate influxes of migrants.²⁸⁶ Social integration programs that are flexible as demographic characteristics of migrants change, such as

²⁷² IOM, Migration Flows—Europe, 2017; UN Security Council, Special report of the Secretary-General on the strategic assessment of the United Nations presence in Libya (S/2015/113), 2015, p. 2.

²⁷³ IOM, *IOM Libya Monthly Update*, 2017, p. 3.

²⁷⁴ UN General Assembly, *Protection of and assistance to internally displaced persons* (A/69/295), 2014, pp. 9-10.

²⁷⁵ Ibid., pp. 7-8.

²⁷⁶ Libyan Political Agreement, 2015, p. 5.

²⁷⁷ IOM, *IOM Libya Monthly Update*, 2017, p. 1.

²⁷⁸ Ibid., p. 2; Wintour, UN urges Libyan government to shut 'inhumane' detention centers, 2017.

²⁷⁹ UN HRC, Report of the special rapporteur on the human rights of migrants, François Crépeau (A/HRC/20/14), 2012, p. 5.

²⁸⁰ IOM, IOM Libya Monthly Update, 2017, p. 2.

²⁸¹ UN Security Council, Special report of the Secretary-General on the strategic assessment of the United Nations presence in Libya (S/2015/113), 2015, p. 1.

²⁸² IOM, IOM Libya Monthly Update, 2017, p. 2; IOM, Libya—Detention Center Profiles (August 2017), 2017.

²⁸³ Richter, Migration as a development enabler: Putting enablers into practice in the post-2015 development agenda, 2013, p. 109

²⁸⁴ IOM, 2030 Agenda for Sustainable Development, 2015.

²⁸⁵ Lucci & Martins, Labor migration in the post-2015 development agenda, 2013, p. 22.

²⁸⁶ Foounten, As Libya Crisis Deepens, UNHCR Chief Steps up Assistance, 2017.



the current trend of women migrants moving alone or as heads of households, require additional state or local resources.²⁸⁷ Governments are thus challenged to balance the investment in the human capital of migrants as well as that of native citizens in order to promote social cohesion and economic development which, in turn, will move countries such as Libya closer to achieving their SDGs.²⁸⁸ To assist communities with this balance, IOM plans under its MCOF for 2017-2019 to identify skill gaps and sectors for potential economic growth in Libya, then help the government match migrants to communities where their skills are most needed, with the additional aim of reducing anti-migrant sentiments.²⁸⁹

As a result of civil conflict, migrant workers in Libya are often unable to find protection or means of survival, particularly if they lack proper documentation.²⁹⁰ In 2011, IOM and UNHCR jointly provided humanitarian aid and repatriation assistance to such "stranded migrants."²⁹¹ IOM's Voluntary Return Assistance program initiated a Skype-based consular service in June 2017 to connect migrants stranded in Libya to their home embassies to facilitate repatriation, and it has already had success with Ghanaian migrants, who according to one study were more optimistic about their ability to remain in Ghana rather than migrate again, compared with those not enrolled in an IOM program.²⁹² The voluntary aspect is crucial, as scholars have demonstrated increased benefits to a country's development and migrants' well-being when return is voluntary versus forced, primarily because return migrants have time to find new productive employment and to save money for living expenses and investment in small businesses.²⁹³ Such programs, in addition to remittances from migrants who have not returned to their home country, help alleviate "brain drain," wherein skilled workers migrate and drain human capital from their home country.²⁹⁴

Conclusion

With ongoing political instability and conflict in Libya, IDPs and circular and transit migrants continue to face grave humanitarian situations and severe human rights abuses.²⁹⁵ Conflict and economic insecurity both cause migration flows and make the migration process more dangerous.²⁹⁶ IOM and its partners have made great strides in rescuing migrants in distress and addressing their physical and psychological needs, but greater cooperation with a stable Libyan government is paramount to future gains.²⁹⁷ The current situation in Libya remains one of the most pressing obstacles, as the internal conflicts and widespread institutional corruption continue to make it difficult for the Libyan government to realize its role in managing the many needs of the IDPs within its border, and those seeking to migrate further.²⁹⁸ The UN-recognized GNA and the Libyan National Army agreed to a ceasefire and new elections in July 2017, but whether this will lead to progress in migration issues remains to be seen.²⁹⁹ Since Libya remains a central hub of several major African migration routes for those headed to Europe or planning to remain in North Africa, addressing the myriad of migration issues in Libya is a top priority for the affected Member States, IOM, and the international community.³⁰⁰ As IOM continues to improve programs and partnerships, its multifaceted approach

²⁸⁷ Lucci & Martins, Labor migration in the post-2015 development agenda, 2013, p. 33; Richter, Migration as a development enabler: Putting enablers into practice in the post-2015 development agenda, 2013, p. 110.

²⁸⁸ Richter, Migration as a development enabler: Putting enablers into practice in the post-2015 development agenda, 2013, p.

²⁸⁹ IOM, IOM Libya Migration Crisis Operational Framework 2017-2019, 2017, pp. 45-46.

²⁹⁰ UN General Assembly, *International migration and development: Report of the Secretary-General (A/67/254)*, 2012, p. 7.

²⁹² IOM, IOM Libya Monthly Update, 2017, p. 1; Mensah, Involuntary return migration and reintegration: the Case of Ghanaian migrant workers from Libya, 2016, p. 319.

²⁹³ Black et al., Migration, return and small enterprise: Development in Ghana: a Route out of poverty?, 2003, pp. 10-18; Mensah, Involuntary return migration and reintegration: the Case of Ghanaian migrant workers from Libya, 2016, pp. 303-304, 308—309.

²⁹⁴ Lucci & Martins, Labor migration in the post-2015 development agenda, 2013, p. 32.

²⁹⁵ IOM, Libya's Migrant Report: Round 10, 2017, p. 4.

²⁹⁶ IOM, *Libya*, 2017.

²⁹⁷ Ibid

²⁹⁸ UNHCR, Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges, 2017, pp. 144-149.

²⁹⁹ Civil War in Libya, Council on Foreign Relations, 2017; Masters & Narayan, Libya rivals agree to a ceasefire and elections after Paris talks, CNN, 2017

³⁰⁰ IOM, *Libya*, 2017.



to addressing migration in Libya will not only aid individual migrant lives, but also help Libya and the surrounding region manage migration in ways that advance them towards the achievement of the SDGs by 2030.³⁰¹

Further Research

As delegates continue to research this topic, they should consider the following questions: What is the role of IOs in facilitating cooperation among states that are facing transnational issues of migration in the Mediterranean region, including search and rescue missions and combating smuggling and trafficking? How can the international community work with local partners to offer alternatives to migrant detention centers? In what ways can the IOM strengthen existing programs to further build local capacity to protect IDPs and migrants while also helping Libyan host communities capture the benefits of migration for development? What are tangible strategies that the IOM can use to achieve its objectives outlined in the *Libya Migration Crisis Operational Framework 2017-2019*?

Annotated Bibliography

Council on Foreign Relations. (2017). *Civil war in Libya* [Website]. Retrieved 26 August 2017 from: <a href="https://www.cfr.org/interactives/global-conflict-tracker#!/conflict/civil-war-in-libya?utm_medium=social_earned&utm_source=fb&utm_campaign=gct&utm_term=civil-war-libya&utm_content=082417

This regularly updated website gives the latest information about the ongoing civil war in Libya, details the key groups vying for control of the state, and gives a short overview of the origins of the conflict following the ousting of head of government Qadhafi in 2011. Although resolving the conflict in Libya is outside the mandate of the IOM, this source provides delegates with valuable contextual knowledge as they devise new ways of addressing issues of migration in the country. Additional links to ongoing news alerts regarding the conflict in Libya can also be found on this website.

International Organization for Migration. (2012). *IOM Migration Crisis Operational Framework (MC/2355*). Retrieved 20 August 2017 from: https://www.iom.int/files/live/sites/iom/files/What-We-Do/docs/MC2355_- IOM Migration Crisis Operational Framework.pdf

This framework outlines the 15 dimensions of IOM responses to migration crises—before, during, and after—and policy guidelines for addressing each. In addition to general approaches, this framework provides examples of current and past work on each dimension. Delegates will learn not only which dimensions the IOM is already addressing in Libya, but also ascertain which other dimensions may apply to the situation in Libya for their own resolutions.

International Organization for Migration. (2017). *IOM Libya: Migration Crisis Operational Framework (MCOF)* 2017-2019. Retrieved 20 August 2017 from: https://www.iom.int/sites/default/files/our_work/DOE/MCOF/MCOF-Libya-2017-2019.pdf

This framework not only provides an overview of IOM Libya's current programs, it also details current obstacles to further local and IOM humanitarian and other initiatives. Additionally, the document includes a timeline to provide delegates with political context for the migration crisis in Libya. This is a good starting place for delegates to get a foundation on the situation in Libya and the role of the IOM.

International Organization for Migration. (2017). *Libya—Detention Center Profiles (August 2017)*. Retrieved 25 September 2017 from: http://www.globaldtm.info/libya-detention-centre-profiles-august-2017/

This database is the first product of the IOM's new profiles of migrant detention centers in Libya. It details health, sanitation, food, and security conditions of 13 detention centers, as well as provides general demographics of the migrant populations living there. As delegates consider how the IOM can improve humanitarian assistance to detained migrants and advocate for alternatives to detention, they should consider the current data present in these profiles. Additionally,

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³⁰¹ IOM, *Libya*, 2017.



delegates can use these profiles as a model for the type of the tangible projects that the IOM conducts in Libva.

International Organization for Migration. (2017). *Libya's migrant report: Round 10*. Retrieved 20 August 2017 from:

 $\frac{\text{http://migration.iom.int/docs/IOM\%20DTM\%20Libya\%20Round\%2010\%20Migrant\%20Report\%20April\%20-\%2}{\text{0May\%202017.pdf}}$

This report provides the most recent updates on the situation in Libya from the IOM's Displacement Tracking Matrix. The bulk of the report focuses on demographic information, as well as drivers of migration from different countries of origin and why attracts migrants to different destination countries. The descriptive statistics, illustrative maps, and analysis in this report will give delegates a useful overview of the current state of migration in Libya.

Mensah, E. (2016). Involuntary Return Migration and Reintegration: The Case of Ghanaian Migrant Workers from Libya. *Journal of International Migration and Integration* 17: 303-323. Retrieved 18 July 2017 from: https://www.researchgate.net/profile/Esi Mensah/publication/269289530 Involuntary Return Migration and Reintegration The Case of Ghanaian Migrant Workers from Libya/links/56e8020e08aec65cb45e77a3/Involuntary-Return-Migration-and-Reintegration-The-Case-of-Ghanaian-Migrant-Workers-from-Libya.pdf

This journal article discusses challenges that migrants face when they are repatriated, with a focus on Ghanaians who had migrated to Libya. The interview data collected in this study provides an in-depth glimpse into the conditions that migrants consider when they return, voluntarily or involuntarily, to their home state. As delegates discuss best practices for repatriation, they should consider key challenges presented the article such as employment, remittances, and social networks.

Richter, C. 2013. Migration as a development enabler: Putting enablers into practice in the post-2015 development agenda. In F. Laczko & L. Lönnback (Eds.), *Migration and the UN in the post-2015 development agenda*. Retrieved 20 September 2017 from: http://publications.iom.int/system/files/pdf/migration and the un post2015 agenda.pdf

This chapter in an IOM report highlights key conversations in the international community ahead of finalizing the SDGs in 2015. The author discusses the ways in which migration is both an outcome and a driver of globalization and the implications of this dual nature of migration for international, national, and local-level responses to this phenomenon. He further explains how careful management of migration processes can facilitate sustainable development for both sending and host communities. Delegates should use this chapter and the remainder of the report to gain an understanding of the links between migration and development and bear in mind the principle of sustainability as they devise new solutions to the situation in Libya.

United Nations, General Assembly, Sixty-ninth session. (2014). *Protection of and assistance to internally displaced persons* (A/69/295) [Report]. Retrieved 15 July 2017 from: http://undocs.org/A/69/295

This report outlines some of the major challenges that internally displaced persons (IDPs) face, with an emphasis on IDPs in urban areas. While the report's case studies do not include Libya, the cases are representative of issues common to IDPs worldwide, such as finding shelter, detention, and prejudice from host communities that often culminates in human rights violations. The report also emphasizes the current lack of international focus on long-term solutions for IDPs, including return home, integration into the host community, or resettlement into a different community.

United Nations, Human Rights Council, Twentieth session. (2012). *Report of the Special Rapporteur on the human rights of migrants, François Crépeau (A/HRC/20/24)*. Retrieved 23 August 2017 from: http://undocs.org/A/HRC/20/24

This HRC report outlines key ways in which the human rights of migrants are violated across the world. This includes but is not limited to human trafficking and smuggling, some of the most prevalent human rights violations in the Libyan migration situation in particular. Delegates should devote attention to the human rights concerns of various vulnerable migrant groups, particularly women, children, and victims of trafficking and smuggling, as they are devising new strategies for the protection of migrant populations in Libya.



United Nations, Security Council, 7531st meeting. (2015). Maintenance of international peace and security (S/RES/2240 (2015)) [Resolution]. Retrieved 16 August 2017 from: http://undocs.org/S/RES/2240(2015) This resolution includes the Security Council's recognition of the adverse effects of smuggling and human trafficking on the maintenance of peace and security in Libya and the surrounding region. The Security Council uses this resolution to authorize Member States and regional authorities to seize vessels in the Mediterranean Sea that are suspected to have ties to smuggling or trafficking operations. Additionally, the preambular clause emphasize key legal and practical differences between smuggling and trafficking, an important point for delegates to keep in mind.

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