

Libya Immigration Detention Profile

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INTRODUCTION

With Libya experiencing large-scale internal displacement as the country becomes increasingly engulfed in civil war, migrants, asylum seekers, and refugees are finding themselves systematically exposed to arbitrary and indefinite detention in conditions described as “abysmal” and “unacceptable” by UN and civil society observers (UNSC 2014, UNHCR 2014 and 2015, HRW 2014, AI 2013). People from Sub-Saharan countries are most at risk of detention and ill treatment as anti-black racism, endemic in Libya, has been exacerbated by the crisis (Seymour 2011, AI 2012, Aljazeera 2014).

Previously, Italy’s and the European Union’s arrangements with Colonel Muammar Gaddafi, including multi-million-Euro “migration management” projects, led to mass expulsions and an increase in detention (EC 2013, DPA 2008, Tripoli Post 2008, DRC 2014). Observers argued that these EU externalisation efforts helped spur the creation of “one of the most damaging detention systems in the world” (van Aelst 2011).

However, EU countries have continued to negotiate deals providing tens of millions of Euros to Libya to process asylum seekers and irregular migrants expelled from or intercepted en route to Europe (HRW 2009, HRW2014, AI 2013, CEC 2014, Malmström 2014). The deepening chaos in the country—coupled with the ongoing conflicts in the Middle East—has generated a surge in irregular migration from Libya across the Mediterranean. The Libyan coast has become a gateway for mixed migratory flows from Eritrea, Ethiopia, Somalia, Sudan, and Syria.

Human rights groups and international organizations have long criticised the country for its deplorable detention conditions, widespread corruption, flourishing migrant smuggling rings, and more recently the failure to take control of detention centres run by militias. Conditions have worsened as a result of fighting across the country and the breakdown in public services.

Among the top ten countries in the world for oil reserves, Libya began attracting migrants from neighbouring Arab countries in the 1960s. By 2009, there were around two million Egyptians in Libya, most of whom worked irregularly. In the late 1990s,

Muammar Gaddafi's Pan Africanism drew a growing influx of Sub-Saharan migrants. A policy volte-face in 2007 led to the imposition of visas on both Arabs and Africans (the distinction between the two not always being clear), turning thousands of immigrants into "irregulars" (Fargues 2013, Di Bartolomeo/Jaulin/Perrin 2011). During the 2011 uprising in Libya, close to 800,000 migrants fled, mainly to Tunisia and Egypt (IOM 2012).

In September 2014, the UN Secretary-General informed the Security Council that "The lack of an adequate asylum system and a proper protection framework in Libya, coupled with the widespread use of detention in deplorable conditions, are factors pushing mixed migration movements underground and fuelling the smuggling market towards Europe" (UNSC 2014). Some 130,000 persons are reported to have arrived in Italy from Libya by boat during January-October 2014, representing nearly 85 percent of all arrivals in the country (UNHCR 2014).

DETENTION POLICY

Libya's legal situation is in turmoil, a result of both the ongoing conflict and the legacy of the Qaddafi era. A new Constitutional Drafting Assembly was formed in early 2014 to replace the 2011 transitional Constitutional Declaration amidst a volatile political and security context. The Libyan government fled Tripoli in the summer of 2014 to escape an Islamist led militia (Stephen 2014). In November 2014, Libya's Tripoli-based Supreme Court declared the Parliament unconstitutional.

In 2014, the European Commission reported that Libya's "legal and regulatory framework on migration appears poor, fragmented and not harmonised" and that irregular migrants, refugees and asylum seekers are "all considered to be 'illegal migrants' and subject to fines, retention, and expulsion" (EC 2014).

Ten years earlier, in 2004, the Commission reported that it was unable to acquire information from Libyan authorities on procedures and criteria for the detention of non-citizens, observing that detainees were arrested at random and issued deportation orders based on decisions made for groups of nationalities, rather than individual cases (European Commission 2004).

Key norms. Provisions for the deprivation of liberty of non-citizens for immigration-related violations are contained in two laws: **Law No. 6 (1987) Regulating Entry, Residence and Exit of Foreign Nationals to/from Libya** as amended by Law No. 2 (2004) and **Law No. 19 of 2010 on Combating Irregular Migration**. Under both laws, violations of migration provisions are criminalized and sanctioned with fines and imprisonment (see below). According to an unofficial translation of Law No. 19, Article 6 provides that "The illegal migrant will be put in jail and condemned to forced labour in jail or a fine of 1,000 Libyan dollars. ... The person must be expelled from Libyan territory once he finishes his time in prison."

However, the Global Detention Project has not been able to identify legal provisions unambiguously providing for administrative forms of immigration detention. It appears that detention for immigration reasons that is not part of a criminal process occurs in a legal vacuum and could be considered “arbitrary” (DRC 2013). According to the European Commission, immigration detention generally occurs without a judicial order (EC 2013)

Law No. 6 (1987) Regulating Entry, Residence and Exit of Foreign Nationals to/from Libya as amended by Law No. 2 (2004) provides visa and travel document requirements for all non-citizens entering Libya. As of 2004, all nationals from Arab states—as well as from the Sudan, Ethiopia, and Eritrea—were allowed to enter Libya without a visa, excluding Iraqis and Palestinians. All other non-citizens had to obtain a valid visa through the General Directorate of Passports and Nationality, as specified in Law No. 4/1985 (European Commission 2004, p. 11).

However, under Article 11 of Law No 19 of 2010 on Combating Irregular Migration, all foreigners residing in Libya had to legalize their stay in Libya within a period of two months after entry into force of the law; otherwise they were to be considered as illegal migrants and were to be subject to penalties (Art. 6). **Law No. 10 of 2013 concerning the Criminalization of Torture, Forced Abduction, and Discrimination** protects detainees from physical and mental torture (Article 2) and from restriction on personal liberty by force, threat, or treachery (Art. 1).

The **Code on Criminal Procedure** prohibits arbitrary arrest and detention (see below under “Procedural standards”).

Grounds for deportation and detention. Article 17 of Law No. 6 (1987) establishes grounds for the deportation of non-citizens who have entered the country without a valid visa; overstayed their residence permit; had their visa revoked; and/or been sentenced to expulsion by a court.

Under Article 19 of Law No. 6 (1987) immigration-related infractions that carry penalties, such as fines and/or imprisonment, include: providing false information or documents; entering the country or residing in it illegally; violating the conditions/regulations of a visa and/or overstaying residence visa; and remaining in the country after having been ordered to leave.

Criminalization. Libyan law criminalises unauthorised migration and does not distinguish between migrants, refugees, victims of trafficking or others in need of international protection (AI 2012). Article 6 of Law No 19 of 2010 on Combating Irregular Migration provides that “illegal migrants” will be put in jail and condemned to forced labour in jail or a fine of 1000 Libyan dinars and be expelled from the Libyan territory after serving their sentence. Under Article 19 of Law No. 6 (1987) persons who violate immigration provisions will either be imprisoned or fined or both. Article 19 as amended by Law No. 2, increased the monetary fine to at least 2,000 dinars and introduced harsher penalties of up to 20 years imprisonment for crossing a border without travel

documents, a crime aggravated if committed by an organised criminal network (HRW 2006a, Coluccello & Massey 2007, p.82).

Length of detention. According to observers, the 2010 Law on Combating Irregular Migration (Law No. 19) allows for the indefinite detention, followed by deportation, of those considered to be irregular migrants (AI 2012, AI 2013). While the provisions of this law do not state precisely that indefinite detention is allowed, it appears to be implied. As noted previously, Article 6 provides that unauthorized migrants are to “be put in jail” and then deported after they serve their sentences.

In 2013, non-governmental researchers on mixed migration flows interviewed more than 1,000 foreign nationals in the country who claimed to have been arrested as they were walking on the street. The majority had been detained between two weeks and three months and two had remained in detention for two years (DRC 2013). Previously, in 2008, former detainees reported that people were sometimes detained for years (Asinitas Onlus 2008).

Apprehending authorities, custodial authorities, and militias. According to Article 21 of Law No.6 (1987) Regulating Entry Residence and Exit of Foreign Nationals to/from Libya, “specified employees within the immigration authority are authorized to execute this law.” Article 17 establishes grounds for the deportation by the Director of Passports and Nationality. Until 2011 immigration policies were jointly managed by the Ministry of Foreign Affairs, the Ministry of Interior (MOI), the Ministry of Justice, and the Ministry of Defence, with the MOI serving as the overall coordinator. The police carried out immigration controls, with support from the army, the air force, and the navy. Since 2007, the navy provided backup assistance to the Coastguard Department, which is responsible for Maritime border management and surveillance. The MOI’s departments of Anti-Infiltration and Illegal Immigration “investigated” and “processed” undocumented migrants (Frontex 2007, p.8-9).

In 2012 officials from the Ministry of Justice and Ministry of Interior acknowledged to Amnesty International “that they had little involvement in the arrest and detention of migrants and that the Ministry of Interior has oversight over detention centres for migrants, but said that since the conflict the Ministry had had no capacity or resources to continue doing so” (AI 2012). In 2014, however, Human Rights Watch was allowed to visit nine of the country’s 19 migrant detention centres allegedly run by the Ministry of Interior’s Department for Combating Illegal Immigration (DCIM), an agency established in 2012 to oversee places of immigration detention (HRW 2014).

Following the 2011 uprising and armed conflict, some detention centres have reportedly been managed by revolutionary brigades or militias, known as katibas. There are reportedly some 1,700 militias in Libya, split along regional lines (Chothia 2014)). International NGOs and EU institutions have urged the Libyan government to regain control of all detention facilities. But implementation is delayed due to the lack of a political settlement (AI 2014, HRW 2014, Malmström 2014).

Procedural standards. According to Article 14 of Law No. 20 of 1991 on Promoting Freedoms “No person may be deprived of his freedom, or have it restricted; neither can he be searched or questioned unless charged with an act punishable by law, or by order of a competent judicial authority within the terms and reasons set out by law. Preventive detention (custody) shall be at a known place which the relatives of the accused shall be informed of, this shall be for the shortest time required for investigation and recording of evidence”. Other safeguards include the requirement for security officers to hold a warrant from the competent authority when arresting or detaining a suspect (Article 30 of the Code of Criminal Procedure), the requirement to detain suspects only in “prisons designed for that purpose” (Article 31), the right of detainees to challenge the legality of their detention (Article 33), the right to have lawyers present during interrogation in criminal cases (Article 106), and the right to be assigned a lawyer if none was appointed by the defendant (Article 321) (AI 2012).

According to the European Commission, immigration detention generally occurs without a judicial order (EC 2013). NGO researchers found that detainees in most detention facilities do not receive consular assistance and do not have access to UNHCR (AI 2013). Mobile phones are reportedly often confiscated from people who cannot contact family members or Embassy personnel (DRC 2014). Article 53 of Law No. 47 of 1975 on prisons provides the right to lawyers to visit their clients in custody. In practice, immigration detainees cannot challenge the grounds of their detention or of deportation decisions and are handed over to “holding centres” [as called by the Libyan authorities] after serving prison sentences, usually for ordinary criminal offences such as theft. They are hardly ever brought before a judicial authority and do not have access to a lawyer or interpreter” (AI 2012, AI 2013, DRC 2013).

However, ICRC reported that in 2013, it enabled foreign detainees to inform their consular representatives of their situation and notified embassies of the whereabouts of 1,507 foreign detainees at the detainees’ request (ICRC information does not specify if the foreign detainees were convicted on immigration related grounds or for other offences) (ICRC 2013). Due to worsening security conditions ICRC temporarily moved its international staff to Tunis in July 2014 and although it keeps responding to emergencies and assisting internally displaced persons through local staff in cooperation with the Libyan Red Crescent and other local partners it is unable to visit places of detention as of December 2014 (Glass 2014).

Non-custodial measures (“Alternatives”). Under Article 18 of Law No 6 (1987) the Director of Passports and Nationality can restrict a foreigner who is to be expelled to a certain area of residence or to instruct him to visit the nearest security location [e.g. a police station] on certain dates until his date of expulsion. According to researchers into mixed migration flows, once a person is detained, there are no legal remedies for release, though there have been cases where people have been released on the guarantee of an Embassy or after payment of a bribe (DRC 2014, IOM 2015).

One camp run by the Libyan Red Crescent in Benghazi in 2013 hosted approximately 600 asylum-seekers from Ethiopia, Eritrea, and Somalia in containers that formerly

accommodated workers of an Indian company. According to Amnesty International, conditions in the camp were considerably better than in “holding centres” and restrictions were imposed on the foreign nationals’ right to liberty and freedom of movement, especially women, since they could only leave the camp for work provided that they were bailed out by a Libyan citizen. A Ministry of Defence brigade controlled movement in and out of the camp and provided security but asylum seekers reportedly faced risks similar to other foreign nationals including arrest and detention in “holding centres” once they were outside of the camp (AI 2013).

Re-entry ban and re-detention. Non-citizens who attempt to re-enter the country after they have been deported must first obtain authorization from the General Director of Immigration (Article 18 of Law No 6). Out of 600 people whose release the Somali ambassador in Libya had negotiated in the first part of 2012 the vast majority had been rearrested by the end of the summer (AI 2012a).

Asylum seekers and refugees. Libya has not ratified the 1951 Refugee Convention or the 1967 protocol, and has failed to adopt asylum legislation. It is party to the 1969 Convention governing the Specific Aspects of Refugee Problems in Africa, and has endorsed the 1965 Protocol for the Treatment of Palestinians in Arab States. Until the armed conflict in 2011, the country’s 1969 Constitution, adopted by Muammar Gaddafi’s Revolutionary Command Council, prohibited the extradition of “political refugees” (Article 11). The Constitutional Declaration promulgated on 3 August 2011 by the Interim National Transitional Council “until a permanent Constitution is ratified in a plebiscite” also prohibits the extradition of political refugees and further guarantees the right of asylum (Article 10).

Approximately 37,000 refugees and asylum seekers are registered with UNHCR in Libya as of early 2015; 18,710 are Syrian nationals and 18,274 refugees and asylum-seekers come from over 30 other countries (Libya HTC 2014, UNHCR 2015). There is no official Memorandum of Understanding between UNHCR and Libya. UNHCR has been tolerated and allowed to conduct Refugee Status Determinations (RSDs) in Libya since 1991 under an informal mandate that allows it to issue asylum seekers with letters of attestation, which are not always recognised by Libyan authorities. In July 2008, an agreement was signed between UNHCR, the International Organization for Peace, Care and Relief IOPCR, the International Centre for Migration Policy Development (ICMPD), and the Italian Council for Refugees to protect the rights of asylum seekers and refugees in Libya, particularly those held in detention (UNHCR website, USCRI 2008). Through this agreement, more than 630 refugees and asylum-seekers have been released.

In April 2009, a plan for elaborating a national asylum system was launched and UNHCR obtained permission to open offices in Libya. Thanks to IOPCR’s assistance in October 2009 the refugee agency subsequently was granted the right to visit migrant detention to identify possible refugees in an additional seven detention centres, raising their total access to 15 centres across the country where many organisations had been denied access (USCRI 2008, UNHCR 2009, Fargues 2013).

In April/May 2013 an estimated 1,700 asylum-seekers were held in detention (AI 2013b). UNHCR provided assistance to persons of concern in detention and advocated for alternatives to incarceration until early 2014, but it suspended activities due to the upsurge of the civil conflict in main urban areas (UNHCR. 2014a). Prior to then it also used to run a Migrants in Detention Working Group albeit meetings were reportedly not held on a frequent enough basis (DRC/DDG 2014).

Through a UNHCR partnership with the International Medical Council in 2014, 48 monitoring visits were conducted in various immigration detention centres as of August 2014 to provide non-food items and health services to detainees (Libya HTC 2014).

In its submission to the Human Rights Council's Universal Periodic Review in 2014, Human Rights Watch reported that the authorities did not allow UNHCR to register asylum seekers in detention. These included Eritreans and Somalis, whom Libya does not deport to their home countries, but who often spend long periods in detention until they can pay their way out or until their embassies secure their release. Other would-be asylum seekers are deported, similar to undocumented migrants (HRW 2014a).

Women. Women migrants and asylum seekers are particularly vulnerable to abuse and ill treatment in detention in Libya, especially in the absence of female guards, which is a violation of international norms for the treatment of prisoners (AI 2014). (See below under conditions of detention). Women and unaccompanied minors are not recognised as vulnerable groups requiring greater attention (EC 2013).

Minors. Children, including unaccompanied and separated children, are at risk of arrest and indefinite detention in Libya. According to UNHCR, there were more than 100 children in detention centres in May 2014. Children do not receive any preferential treatment and are often in cells with adult detainees, which increases the risk of abuse (AI 2013, UNHCR 2014c).

During a 2013 visit to the Tweisha "holding centre" outside of Tripoli, Amnesty International found that most of the minors held at the facility were at least 16, although it found two unaccompanied Somali children aged 10 and 13 (AI 2013).

AI researchers also identified approximately 20 unaccompanied children, some as young as 12, from Somalia and Eritrea, detained alongside adults at one of the largest immigration detention centres in the country near **Gharyan**, which as of November 2014 was run by the 9th Brigade a militia nominally under the control of the Ministry of Defence (AI 2014)

Libya and Italy. According to some accounts, Italy began making "often secretive agreements" with Libya as early as 2003 and financed "ex-territorialized migration detention camps near Tripoli in 2003, and in later years in the south at Sebah and Kufra." (Richey 2012). Such "cooperation measures" have led to increasing mistreatment of refugees, asylum-seekers, and migrants (COE 2012).

As part of the 2008 Italy and Libya “Friendship Pact”—the Treaty of Friendship, Partnership and Cooperation between the Italian Republic and Great Socialist People’s Libyan Arab Jamahiriya—Italy agreed to provide Libya \$5 billion in infrastructure projects over 25 years to compensate for abuses committed during its rule over the country. It called for “intensifying cooperation in fighting terrorism, organized crime, drug trafficking and illegal immigration,” and included an agreement to strengthen Libyan border controls, 50 percent of which was to be funded by Italy, and 50 percent by the EU (HRW 2006a, p.117).

Italy has supported Libya’s immigration control efforts through verbal agreements and the provision of “a program of technical assistance to the Libyan Authorities,” including in “a) Professional training; b) Assistance for the repatriation of illegal migrants to Third countries; c) Supply of goods and services; d) Setting up of reception centres for illegal migrants; e) Operational and investigative cooperation” (Government of Italy 2007, p. 16).

In February 2012, in its first judgment on interception-at-sea in *Hirsi Jamaa and Others v. Italy*, the European Court of Human Rights ruled that acts performed by a member State or producing effects outside its territory could constitute an exercise of jurisdiction by this State. It condemned Italy for exposing migrants to the risk of being subjected to ill treatment in Libya and being repatriated to Somalia and Eritrea and observed that “Italy cannot evade its own responsibility by relying on its obligations arising out of bilateral agreements with Libya” (ECHR 2012).

Despite the ruling, in April 2012, Italy signed an agreement with Libya covering training programmes, the detention of migrants, and voluntary return. The agreement reportedly lacked any concrete measures to uphold international human rights and refugee law standards. A year after the agreement was signed, representatives of the Italian Ministry of Interior conducted a needs assessment in several “holding centres” (AI 2013).

Another bilateral “technical agreement” was signed in Rome on 28 November 2013, according to which Italy agreed to provide Italian drones to assist in the control of Libya’s southern border in part in an effort to detect refugees, asylum seekers, and migrants (AI 2014).

In May 2009, Libya and Italy launched joint naval patrols in Libyan territorial waters for an initial period of three years. At the time of the patrols, observers pointed to controversial “push-backs” efforts (*respingimento*)—forcibly redirecting boats at sea en route to Italy back to Libya—arguing that they were exasperating a humanitarian crisis in the Mediterranean (UN News Service 2009c). Italy defended the push-backs, claiming that when the identities of migrants were clear and transportation was readily available, there was no need to impose administrative detention (Government of Italy 2007, n. xvi). Some observers claimed that the joint naval patrols were deterring migrants and asylum seekers from attempting to reach Sicily and Sardinia (HRW 2009, p. 24).

In October 2013, responding to steep increases in sea crossings and ship wreckages off the island of Lampedusa, the Italian government established Operation Mare Nostrum, a €9-million-a-month sea rescue mission. According to government estimates, during the one-year operation, the Italian Navy rescued 150,810 migrants and prosecuted 330 smugglers (MM 2014). Despite the operation there were still some 3,000 deaths at sea while it was in place (The Guardian 2014).

The EU and Frontex. In October 2014, Italy announced that it was ending the Mare Nostrum rescue mission. It was replaced with a an operation called Triton, a border surveillance program operating close to the Italian coast that is coordinated by the EU's border agency Frontex. Responding to the change, a representative of the Council of Europe said: "We know that [under Triton] there will be gaps and a vacuum in the territorial waters off Libya, for instance, and that is where the main accidents occur." And a Frontex official acknowledged: 'Of course, we will also do search and rescue actions,' but if you don't have enough capacity will you be there in time? I would expect many more sea deaths the moment that Mare Nostrum is withdrawn" (The Guardian 2014; see also EC 2014a, HRW 2014b).

The EU and its Members States have long been involved in migration efforts with Libya, including detention. In the early 2000s, for example, after a decade of open-door policy, Libya began adopting more restrictive migration policies—including the establishment of migrant detention centres—in response to pressure from a host of EU countries (EC 2013, DRC 2014).

The EU and Italy have both supported the refurbishing of Libyan detention centres and funded the provision of aid in these facilities by international and Libyan nongovernmental organizations (HRW 2014, EC 2014, AI 2013). According to a 2014 HRW report, "The EU and Italy have committed at least €12 million over the next four years to the centers" (HRW 2014).

As part of its European Neighbourhood and Partnership Instrument (ENPI) programme, which has also financed immigration detention in Ukraine, the EU announced in January 2014 a €10 million programme to finance a "rights-based migration management and asylum system in Libya" that includes improving detention conditions and reviewing administrative procedures (EC 2014).

Some EU funds are channelled via the European Union Integrated Border Management Assistance Mission in Libya (EUBAM) programmes, which focus on support to "the Libyan authorities in developing border management and security at the country's land, sea and air borders" (EUBAM Libya 2013).

Since 2004, the Council of the European Union has provided assistance in training and monitoring equipment to strengthen Libya's maritime borders and encourage coordinated sea control operations (HRW 2009, p. 31). According to HRW, during this period, the EU proposed funding the construction of accommodation centres for asylum

seekers (€20 million) and for migration management projects on Libya's southern border (€60 million) (HRW 2009, p. 32; EU Business 2009a). Programmes were to focus on improving living conditions for migrants in detention facilities by reviewing administrative procedures, improving services provided to migrants, and facilitating access to the local labour market. They aimed to address the need for strengthening the ability of public institutions to effectively plan and deliver on migration management issues in line with international standards and best practices, to guarantee that migrants were treated with full respect of human rights and human dignity and guarantee international protection.

The assistance projects fuelled criticism that the EU was trying to "outsource" Europe's treatment of asylum seekers by paying external countries to assess, process, and house asylum seekers. UNCHR warned against enlisting Libya to host people seeking asylum in Europe, citing the countries "appalling" detention conditions and the likelihood that people in need of protection will be sent back to their countries of origin (EU Business News 2009b).

According to a scholar who has extensively researched detention conditions in both Libya and Ukraine, despite European assistance over the years, "migrant holding centers and processing camps" in the EU neighbourhood often end up being "legal black holes offering little human rights protections to their detainees returned from Europe" (Richey 2012).

International Organisation for Migration. In 2006, the IOM opened an office in Tripoli to assist voluntary returns and other migration management efforts (IOM 2006). The EU has been the main financier of these programs with individual EU members including Italy, Germany and the United Kingdom, plus Switzerland and the United States (US).

In early 2013, the IOM conducted two training sessions for Libya's Department for Combating Irregular Migration (DCIM) staff working with migrants at the Tweisha detention centre and at Tripoli International Airport (IOM 2013). Also, since 2009, the IOM has worked with Libyan NGOs to operate medical clinics in various detention centres. Some of these programmes have come under criticism for focusing on living conditions and overlooking the consequences of human rights abuses by guards (van Aelst 2011, AI 2013). In the summer of 2014, IOM Libya evacuated 12 women from Surman detention centre to Tunisia prior to onward travel to Ethiopia and the Ivory Coast and provided them medical and psychosocial assistance. IOM also received requests from different embassies to help evacuate their citizens (IOM Libya 2014a).

There have been several IOM projects related to detention, including the U.S.-funded "Enhancing the Protection of Irregular Migrants" and the EU-funded "Stabilizing At-Risk Communities and Enhancing Migration Management to Enable Smooth Transitions in Egypt, Tunisia and Libya (START)." Both of these entail providing assistance to irregular migrants and victims of trafficking at detention centres (IOM 2012a). Another program, the EU/Italy-funded SAHARA-MED program, which was designed to "prevent,

detect and manage irregular migration flows,” ceased operations following the 2011 civil war.

The IOM has operated a few transit and assistance centres for migrants in Niger, which provide emergency and life-saving humanitarian assistance to expelled migrants. The IOM opened its fourth transit centre in the Saharan city of Agadez in November 2014. This facility, which is funded by the Italian Ministry of Interior, can accommodate up to 400 people, and up to 1,000 in periods of crisis. Sub-Saharan migrants expelled from Libya and Algeria are often sent back home through Niger. The IOM’s Chef de Mission in the country informed the Global Detention Project that in 2014 about 2,500 migrants transited these centres, returning from Libya or Algeria in most cases (IOM 2014, Loprete 2014).

Monitoring and visits. Although Libya had ratified seven of the nine core international human rights treaties prior to 2011, it had a very poor reporting record on implementation and on cooperation with human rights investigation mechanisms. As a result, reports by international NGOs and international organisations are the main sources of information on the situation of immigration detainees. However, in late 2014, many of these organisations—including ICRC, UNHCR, and the IOM—suspended most their operations in the country because of the deteriorating situation.

Before suspending activities, UNHCR provided assistance to over 5,400 persons in immigration detention centres in Libya, including distribution of mattresses, clothes, hygiene kits and other core relief items. It also supported a partner agency to provide medical care to detainees. UNHCR regularly visited nearly 20 immigration detention centres managed by the Department for Combating Illegal Migration (DCIM) and monitored the conditions of refugees and asylum seekers detained in Libya (UNHCR 2014c). In 2013, UNHCR visited approximately 24 then-operational centres across Libya (under the DCIM or otherwise), and conducted follow-up visits to assess and monitor the welfare of detainees, conditions of the detention facilities, provide non-food items, identify vulnerable cases and protection issues and to attempt to address them (UNHCR/DRC 2013).

Also in 2013, the ICRC “carried out 81 visits to 41 places of detention to 13,622 detainees, including 621 women, 92 minors and 5,686 migrants in 14 retention centres under the authority of the Department for Combating Illegal Migration” (ICRC 2014). In the first half of 2014, Office of the High Commissioner for Human Rights’ representatives within the United Nations Support Mission in Libya visited “various detention centres for migrants, including in Abu Salim, Al-Zawiya, Al-Tewisha, Al-Hamra, Al-Khoms, Al-Gewia, Burshada, Gatrun, Surman, Zoo Centre and Zliten” (OHCHR 2015).

The DCIM grants some NGOs access to facilities, including the Libyan Red Crescent Society and the International Organisation for Cooperation and Emergency Aid (IOCEA), which has enabled the Danish Refugee Council (DRC) to carry out joint visits to detention centres and complete trainings for DCIM staff. Despite the conflict,

DRC/Danish Demining Group Libya reported on their Facebook page that its Tripoli team was able to visit the Khoms detention centre on 12 October 2014 to distribute hygiene kits and posted photos taken inside the facility (DRC/DDGL 2014 and 2014a).

In 2013, DRC gained access to six centres, five in the north and one in the south of the country, to carry out monitoring, notify embassies, re-establish family links through phone calls, distribute non-food items, and train detention centres personnel on human rights, refugee law, fair detention conditions, hygiene, and first aid in collaboration with other organizations (UNHCR/DRC 2013). Before the 2011 uprising, nuns from Caritas were allowed inside some of the immigration detention centre (Aljazeera 2014).

Since Human Right Watch's pioneering visit to places of immigration detention in Libya in 2006, there have been numerous visits by international NGOs to places of immigration detention. Following its latest visit in April 2014, HRW reported that there conditions at facilities under the control of both the government and militias were marked by widespread violence. The group called on the EU and Italy to "immediately suspend all aid to the centres until it is clear the abuse has ended." It also recommended that Libya's Interior Ministry investigate abuses and that an agreement on a monitoring mechanism be reached providing the UN Mission and UNHCR unfettered access to all official migrant detention centres (HRW 2014).

Following visits in 2013, Amnesty International called on the EU Committee of Ministers to recommend that the Italian government set aside existing migration control agreements with Libya and refrain from signing further agreements in the area of border and migration control until the human rights of refugees, asylum-seekers, and migrants are protected and respected. AI recommended the adoption of asylum legislation, an MOU with UNHCR, ratification of the Convention Relating to the Status of Refugees, a maximum period for immigration detention, an end to arbitrary arrests, torture and ill-treatment of foreign nationals and that "all migration control agreements with Libya or any other country are made public and include adequate safeguards to protect human rights with appropriate implementation mechanisms" (AI 2014).

As of 2013, other international NGOs were also carrying out visits to immigration detention centres, including CESVI Cooperazione E Sviluppo, the International Medical Corps, and Médecins sans frontières. Monitoring activities range from protection monitoring to direct distribution of non-food items (NFIs), registration of asylum seekers, refugee determination, resettlement, notification to embassies, rehabilitation of the infrastructures, medical care, family reunification and restoring family links and tracing, assisted voluntary repatriation for vulnerable cases and training and capacity building is also conducted with the personnel of the centres.

National NGOs carrying out visits include the International Organisation for Cooperation and Emergency Aid (IOCEA), the Libyan Red Crescent, Ana Inshan and Youth stamp for human rights and development. Activities include monitoring and reporting on conditions of detention, distribution of NFIs and re-establishing family links through phone calls (UNHCR/DRC 2013).

The mandate of the UN Support Mission in Libya (UNSMIL) includes promotion of the rule of law and monitoring and protection of human rights, in accordance with Libya's international obligations, including the rights of migrants and due process for detainees (UNSMIL 2014).

DETENTION INFRASTRUCTURE

Libya does not appear to have an official catalogue of places of immigration detention (often referred to as "holding centres"). However, according to various sources of information, including lists supplied by DCIM to AI and HRW researchers in 2013 and 2014, some two-dozen facilities have been used during the last two years for this purpose in the country (AI 2013, HRW 2014, UNHCR/DRC 2013, DRC 2013).

The types of facilities currently used in Libya for immigration-related detention are not always clear—for instance, whether they are prisons, informal camps, police cells, or specialised centres. However, the sources that the GDP has been able to consult seem to concur that the facilities generally are dedicated immigration detention centres. To the extent that this is the case, it represents somewhat of an anomaly for the region as most North African countries—including Morocco and Egypt—tend to use prisons or police stations for immigration detention. (This regional variation could be the result of the long-term European involvement in Libyan migration management.)

In addition, although the centres appear to be dedicated immigration sites, it is unclear if these should be coded Ad Hoc, Criminal, or Administrative (for more on GDP typology, see [Flynn 2011](#)). If a facility is used exclusively to hold people imprisoned as part of a criminal process stemming from immigration status, then arguably it should be considered a criminal prison. On the other hand, most sources agree that detention of foreigners tends to occur outside any legal process and often in a situation lacking official sanction, like in facilities operated by militias. Such facilities would appear to meet the qualification for being coded Ad Hoc in GDP typology. The GDP, however, has opted to code the facilities Administrative for the time being, mainly because foreigners who are detained in them appear to be held as a matter of administrative convenience for local authorities until a long-term solution, like expulsion from the country, is found.

During the GDP's previous attempt to map detention sites in Libya [in 2009](#), we cross referenced information obtained by various right groups during interviews with former detainees, which indicated that there were at least 20 immigration detention facilities in the country at the time (HRW 2009, Fortress Europe 2009). However, by 2014, the map of facilities had changed significantly.

After the 2011 uprising militias and revolutionary brigades (known as *katibas*) took over some detention centres, operating them without official oversight. By mid-2013, the Department for Combatting Illegal Migration (DCIM) had regained control of many facilities formerly run by militias, controlling 17 of them (AI 2013, DRC 2013). UNHCR

reportedly visited 24 centres in 2013 (UNHCR/DRC 2013). The DCIM expected to renovate additional facilities with EU funding (AI 2013). Amnesty International reported that the DCIM opened a “holding centre” for women in Soroman, west of Tripoli, in 2013 (AI 2013).

In 2014, the DCIM reportedly managed immigration facilities in Tuwaysha/Tweisha (Tripoli), Zliten, Tobruk(Tobroq), Ajdabiya, Abu Saleem, Durj/Daraj, Brak Alshati/Brak Shati, Algwayaa/Gwei’a (Garaboli), Sebha/Sabha, Surman/Soroman, Burshada/Abu Rashada/ Bou Rashada,, Gheryan/Gharyan Alhamra/Al-Hamra, Aljufra/Jufra, Algatroun/Qatroun, Sabratah, Misratah, Alkhoms/Khoms, Ain Zara (Tripoli), Alkufra/Al Kufra, Souq Alhadika (Benghazi) and Al-Bayda. (Salah 2014, AI 2013 and Mughrabi-Talhami/AI 2014).

AI reported that In April/ May 2013 there were approximately 5,000 people being held in 17 poorly resourced “holding centres” under the authority of the Ministry of Interior (AI 2013b).

The IOM reported in August 2014 that while most centres were still operational, DCIM officials at headquarters were working from their homes and that it was impossible for them to monitor the situation in detention facilities purportedly under their control (IOM Libya 2014a).

Detention conditions. Conditions of detention in Libya have long been a source of deep concern to the international community. The former director of the Italian secret service told the Italian Parliament in 2005 that “undocumented migrants in Libya are caught like dogs” and placed in overcrowded facilities that are in such a poor state of repair that “policemen must wear a dust mask on the mouth because of the nauseating odours” (Fortress Europe 2009). In subsequent investigations completed before the outbreak of civil war, numerous NGOs and the European Commission reported on the abhorrent conditions in the facilities (HRW 2009, EC 2013).

This state of affairs led one researcher to argue that “in avoiding its human rights responsibilities by transferring the repressive aspect of its immigration policy to Libya, the EU has set the conditions for one of the most damaging detention systems in the world, whose main features—including inhumane living conditions, daily violence and cruel treatment amounting to torture, all in a context of arbitrary detention—impact in a dramatic way on the health of detained migrants” (van Aelst 2011).

Since the onset of civil war, conditions of detention have worsened as a result of fighting in all parts of the country and the related breakdown in public services. Recurrent criticisms include overcrowding, scarcity of food and drinking water, limited or inexistent access to health (leading to the spread of skin diseases and other medical problems), lack of access to fresh air, and poor hygienic conditions (EC 2013, AI 2013, UNHCR 2014c, HTC 2014). Observers have said that the situation in immigration detention facilities is considerably worse than that of facilities used by the Judicial Police (CGVS et al. 2014). In a report to the Security Council on UNSMIL, the UN Secretary-General

declared that conditions of detention for “illegal migrants under the authority of the Ministry of the Interior” were “unacceptable” (UNSC 2013).

In response to spiralling violence in immigration detention facilities under official and militia control, Human Rights Watch called on the EU and Italy to “immediately suspend all aid to the centres until it is clear the abuse has ended.” The rights group also called for greater access to all official places of immigration detention for the UN Mission and UNHCR (HRW 2014).

In mid-2014, the IOM reported that cooking gas, water, and food were scarce at detention facilities and that many were considering releasing all or most of the detained migrants by the end of 2014 due to lack of funds and deteriorating conditions (IOM Libya 2014a). As of this writing in early 2015, the GDP had been unable to verify if any detainees had been released.

There are reports of torture and ill-treatment of detainees. After visits to nine centres in 2014, HRW reported on allegations that male guards in centres under government control strip-searched women and girls, brutally attacked men and boys, including severe whippings, beatings, and electric shocks. Several dozen detainees, including boys as young as 14, reported being assaulted regularly by guards in eight facilities. In one centre “five detainees said guards suspended them upside down from a tree and then whipped them” (HRW 2014a). Detainees also reported being beaten upon arrest by militiamen and during their first days in detention if they were not immediately transferred to migrant “holding centres” (AI 2013).

In the first half of 2014, UNSMIL/ OHCHR visited 11 detention centres for migrants and reported “conditions of grave concern, including chronic overcrowding, poor sanitation and health care, and insufficient food. There were also consistent reports of physical or verbal mistreatment, labour exploitation, sexual abuse, extortion and confiscation of identity documents, and minors were being detained with adults. Women detainees reported that they were subjected to sexual violence.” (OHCHR 2015).

In 2013, ICRC visited 5,686 migrants in 14 detention centres under the authority of the Department for Combating Illegal Migration. It supplied 3,300 migrants with essential items, including blankets, mattresses, buckets, hygiene kits, T-shirts, prayer rugs, games, socks, track suits, underwear, slippers, cleaning materials, clothes and nappies. ICRC also conducted scabies-control campaigns and provided medicines and clothing at two centres for migrants in Sabha, and in Zliten and Al-Gharyan (ICRC 2014).

Corruption and ill treatment. Corruption is endemic in Libya. Transparency International’s Corruption Perception 2014 Index ranks Libya 166 out of 175 countries (TI 2014). HRW reports that corruption is also rife in Libya’s detention facilities and that smugglers even run some facilities. Former detainees have said that they were forced to pay bribes of around \$500 to officials to be released. One ex-detainee told HRW, “The police said they would deport us, but then they took us to pay money to smugglers

to take us to Tripoli. Those without money stayed in Kufra. ... Everything depends on money” (HRW 2009).

During a visit in 2014, an Eritrean migrant told HRW that he had to pay \$1,000 to guards at Gharyan detention centre to be freed (Porsia/Stephen 2014). In a written testimony to Terre des Hommes in Sicily in 2014 a young migrant from Gambia wrote that he had been kidnapped by “armed robbers” colluding with police upon arrival in Libya after crossing the desert and given a telephone to contact his parents who had to pay for his liberation (TDH 2014).

There have been cases in which migrants, including those with proper documents, have been set to detention centres following disagreements with dishonest or abusive employers. In other cases, detainees have been forced to work without pay at their place of detention in exchange for their release (AI 2013). Detained migrants are sometimes contracted out as informal work gangs to private employers in conditions of forced labour, reportedly with the complicity of prison and detention centre guards, and then returned to detention when their employers no longer require them (USDS 2014, DRC 2013). Migrants also have reported they are detained by criminal gangs and then threatened with extortion (DRC 2013).

List of Known Facilities

Below, the GDP provides details of the country’s main immigration detention centres about which it has received information. Unless otherwise indicated, the information is based on information provided in a GDP/IDC questionnaire completed by UNHCR and the Danish Refugee Council in November 2013. Where necessary, we cite additional sources that add to the data provided in the questionnaires.

I. Immigration detention centres under the authority of the Department for Combatting Irregular Migration (DCIM):

In the North West of the country and Mediterranean Coast:

Tuwaysha (Tweisha) (Tripoli). This appears to be one of the larger and better-organized detention centres in Libya. Detainees come from Somalia, Eritrea, Niger, Nigeria, Chad, Ghana, Mali and Sudan. A health clinic was renovated by the IOM in 2013 with EU funding. Women are held without female guards (AI 2012). Most minors in Tweisha during an AI visit in 2013 were aged 16 and 17, but the NGO reported two unaccompanied Somali children aged 10 and 13 (AI 2013).

Ain Zara (Tripoli). This centre acts as a holding facility for migrants indiscriminately arrested during the course of police raids and street sweeps in Tripoli. They are then detained for a limited period before being transferred to other centres across Libya. Activity at the detention centre is extremely fluid and the population can vary from 30 to 150 individuals. Detainees come from Somalia, Eritrea, Sudan, Egypt, Niger, Nigeria, Chad, Ghana, and Mali.

Surman (Soroman). Formerly housing both male and female migrants, this centre now reportedly detains exclusively females (some of whom are pregnant and/or detained with their children). It is often the case that women detainees are separated from their husbands who are located in other centres. In May 2013 there were 131 detainees (females and minors) from Somalia, Eritrea, Sudan, Nigeria, Chad, and Morocco.

According to AI in September/November 2013 there were 45 female detainees, including migrants and asylum-seekers. AI documented routine strip-searches by male guards upon the admission of new detainees. At times invasive strip-searches, “including of the women’s private parts with plastic hoses, were being conducted as disciplinary punishment.” Women detainees including a pregnant Nigerian woman reported having been beaten with sticks on the soles of their feet and their upper bodies” (AI 2014).

The IOM reported at least seven cases of severe mental distress among Ethiopian migrants in Soroman in August 2014 and liaised with the Ethiopian Embassy in Cairo to provide travel documents and assist them for voluntary repatriation. With the support of the Libyan Red Crescent, the IOM expected to help them move to Addis Ababa, via Tunis, (IOM Libya 2014a). According to UNHCR, women and children have very limited access to potable water and medical services at Surman Immigration Detention Centre and **Abu Selim** Holding Centre (UNHCR 2014c).

Sabratah A former school, this centre now acts as an improvised and ill-equipped detention centre. In April 2013 it held 140 male detainees mainly from Eritrea, Somalia, Sudan, Ethiopia, Chad, and Mali.

Zliten. Recently renovated, this facility held 100 detainees (including men and women) in April 2013 from Niger, Nigeria, Ghana, Egypt, Chad, and Ethiopia.

Algwayaa (al-Guweia) (Garaboli). This centre recently became operational after undergoing extensive renovation in May 2013 (AI 2013). The centre exclusively houses women and children, mainly from Somalia, Eritrea and Nigeria.

Ahamra (al-hamra) & Aburshada (Aburashada/Bou-Rashada) (Gheryan). These are two separate facilities whose evolution is interlinked. Aburashada was formerly under the control of a militia group, which was reluctant to hand over control to the DCIM. In order to put pressure on the militia, DCIM established an official detention centre nearby named Alhamra. By March 2013, Aburshada had returned to the control of DCIM and both detention centres continued to be operational (Abdul-Wahab 2014).

In May 2014, some 80 sub-Saharan migrants held at the Al-Hamara centre went on hunger strike for four days asking for better conditions and treatment. Nasserredine Al-Ghariani, head of the centre, warned DCIM that he would release all the prisoners if they did not come up with a solution (Abdul-Wahab 2014).

In May 2013, Aburshada held 237 men and Alhamra 70 men mainly from Somalia, Eritrea, Niger, Nigeria, Chad, Ivory Coast, Ghana, Mali and Senegal. In Bou Rashada women were held without female guards in 2012 (AI 2012).

Alkhoms (Khoms). Before the 2011 uprising, the centre was built by a Chinese company to house its workers during the construction of a railway project. Post-uprising, the centre was utilized as an improvised and “temporary” centre to detain irregular migrants. Many detainees transferred to this centre are brought here after being rescued at sea. In May 2013, 213 men and women were detained mainly from Eritrea, Somalia, Sudan, Niger, Chad, and Nigeria.

Misratah. In July 2012, the first established detention centre (post-uprising) in Misratah was called Alkharouba (military base). This centre was managed by the DCIM and a local brigade. Due to pressure by local residents who opposed the centre’s location, it was forced to close in Sept 2012. Subsequently in November of the same year, Alkrareem detention centre (a former gas production facility) opened approximately 20 kilometres south of the city.

Centre, Sahara Desert:

Aljufra (Jufra). This centre operates as a holding point for irregular migrants crossing from the south to the north. After being arrested, detainees are then transferred to the larger Sebha or Brak Alshati detention centres. In May 2013, it held 37 detainees mainly from Nigeria, Niger, and Cameroon.

Awbari. This centre was built and previously used by a Chinese construction company and was not intended to be used as a detention centre. The centre once accommodated more than 350 individuals. During UNHCR’s last visit in 2012, it housed nine people and in May 2013 the centre was reportedly empty. Awbari was not included on the lists of detention centres that the DCIM provided to Amnesty International or Human Rights Watch in 2013 and 2014.

Sebha (Sabha). Sebha is an important staging post for irregular migrants arriving from neighbouring countries. Its detention centre also often receives detainees from other centres across Libya as a prelude to transportation and deportation. The original centre consisted of a number of decaying hangars with cells housing in excess of 100 prisoners in some instances. It was undergoing extensive renovation in May 2013 (AI 2013) and all detainees were moved to a derelict Italian-era detention centre located within a large police station with a poor infrastructure. In May 2013 it held 1,200 detainees mainly from Somalia, Eritrea, Sudan, Niger, Chad, Nigeria, Syria and Egypt. Married couples were systematically separated.

Brak Alshati (Birak). Like its counterpart in Sebha is in poor condition and requires substantial refurbishment to be brought up to standard. The actual facility consists of about four to five large cells, each regularly housing in excess of 100 detainees. In

March 2013 it held 160 detainees mainly from Somalia, Eritrea, Sudan, Niger, Chad and Nigeria. It was under renovation in May 2013 (AI 2013).

Algatroun (Al Qatrun) .This centre is located approximately 400 kilometres south of Sebha, near the Niger/Chad borders, and is primarily used as a last holding point for detainees before deportation. The centre is reportedly in fair condition after an expansion and refurbishments in 2013. It has an overall capacity of 1,500. In May 2013 it held 790 detainees mainly from Eritrea, Sudan, Niger, Chad, Nigeria, Mali and Burkina Faso.

North East/Mediterranean Coast:

Ajdabiya. In May 2013, the facility held 122 detainees, mainly from Eritrea, Somalia, Sudan, and Ethiopia. It was reportedly moved to a new location in Al Salakana, which as of late 2013 was reportedly in a bad state of repair.

Souq Alhadika (Benghazi). In May 2013 it held 380 detainees including Eritreans, Somalis and Ethiopians. After a visit in 2013, AI reported that “detainees were held in a courtyard surrounded by a brick wall without adequate shade, seating or access to washing and sanitary facilities” (AI 2013). In Benghazi, AI visited two migrant “holding centres,” one under the Ministry of Interior and the other under the Ministry of Defence.

Tobruk (Tubruq) (Egypt border). As of late 2013, UNHCR had not visited this facility due to security concerns.

Kufra (Alkufra). Kufra is an isolated city in the Sahara desert in south-eastern Libya that serves as key transit route for irregular migration. In May 2013 there were 200 detainees from Somalia, Ethiopia, Eritrea and Sudan. According to a 2009 HRW report, the centre has a central courtyard and six large detention rooms, which can each hold more than 100 people, with frequent overcrowding (HRW 2009, p.76). Multiple observers have reported that conditions at this centre are among the worst in the country. It reportedly is comprised of old facilities, is grossly overcrowded, has poor lighting and ventilation, provides no access to health care, has inadequate bedding and bathrooms, and offers limited outdoor access and insufficient food (Fortress Europe 2009; HRW 2009, p. 76-78; Asinitas Onlus 2008).

II. Immigration detention centres operated by militias

Although the DCIM has reportedly regained control over the country’s main immigration detention sites, some facilities appear to remain in the hands of militias, which control large portions of Libyan territory.

The militia of Abdul Razag, a former intelligence officer who controls parts of Tripoli, has been running “stop and detain” operations, which involve apprehending foreigners on the road and detaining them in ad hoc facilities like the cafeteria of **Tripoli’s zoo**. According to Al Jazeera, “Upon arrival the migrants are questioned and all are screened

for HIV, tuberculosis, hepatitis and other diseases—for which they must pay 10 Euros apiece.” They are then held in locked rooms with no windows and little if any sanitation before being expelled from the country. In some cases, migrants have been transferred to Tripoli’s **Abu Salim prison** when other sites are full (Al Jazeera 2014). In 2014, representatives of the Office of the High Commissioner for Human Rights reportedly visited the “Zoo Centre” (OHCHR 2015).

In late 2013, Amnesty International researchers visited one of the largest immigration detention centres in the country near **Gharyan**. According to the NGO, “The centre is run by the 9th Brigade, a militia nominally under the control of the Ministry of Defence.” The centre had not yet been handed over to state authorities as of end of 2014 but Libyan security agencies cooperate with the 9th Brigade and refugees, asylum-seekers, and migrants continue to be brought to the facility on a regular basis. It has a 3,000-person capacity. Most of the detainees from the facility are from Chad, Egypt, Eritrea, Niger, Somalia, and Sudan. At the time of AI’s visit, many detainees were being held in freezing conditions never allowed outside (AI 2014).

Ganfouda. This centre in Benghazi was under the Preventative Security militia as of October 2014 (Mughrabi-Talhami/AI 2014).

Silaa al-Tamwiniya. In May/June 2012, Amnesty International interviewed foreign nationals held at this facility, located in al-Zawiya, for alleged breaches of migration-related laws. At the time, the facility was under the control of the al-Zawiya militia (AI 2012).

III. Immigration Detention centres reportedly in use as of 2013 but not listed by DCIM

At the Western border with Algeria:

Ghadamis (near Dirj at the Algerian border). This detention centre was “renovated” in 2012 (AI 2012) and opened in February 2013. In May 2013, it held 100 persons mainly from Mali, Niger and Ghana.

Ghat (South West, Sahara desert, near the Algerian border). This centre was renovated in May 2013 (AI 2013) but was empty at the end of 2013 when the DCIM informed UNHCR that it would be established and operational soon.

According to UNSMIL/OHCHR reports, 17 Eritrean migrants were reportedly detained since mid-November 2014 in army **Camp 21** near Benghazi. They were reportedly obliged to do physical labour both inside and outside the camp. An additional 15 Eritreans were reportedly being detained near a hotel in Benghazi too (UNSMIL/OHCHR 2014a).

FACTS & FIGURES

Observers estimate that between 4,000 and 6,000 foreign nationals are held in immigration detention at any given moment in Libya (AI 2013). According to Amnesty International, during May-June 2012 approximately 1,680 detainees were being held in four immigration detention “holding centres”: Tweisha, Bou Rashada, Ganfouda Benghazi, and Kufra (AI 2012). A representative of the Ministry of Foreign Affairs of Niger claimed in March 2013 that some 3,000 Nigerians were detained in prisons or other places of detention in Libya for entering the country Libya without authorization (AFP 2013).

As of February 2015, 36,984 refugees and asylum-seekers were registered with UNHCR (UNHCR 2015). In mid-2014, the IOM estimated that there were more than 200,000 migrant workers in Libya, including 7,000 vulnerable and in need of evacuation assistance, transit or border reception, health services and psychosocial support (Libya HTC 2014).

Before the 2011 uprising, the European Commission estimated that there were between 1.8 million and 3 million irregular migrants in Libya (EC 2013); the IOM estimated that the total number of migrant workers (regardless of immigration status) living in Libya before the crisis was 2.5 million, including one million Egyptians, 80,000 Pakistanis, 59,000 Sudanese, 63,000 Bangladeshis, 26,000 Filipinos, 10,500 Vietnamese, and “a large population of Sub-Saharan Africans mainly from Niger, Chad, Mali, Nigeria and Ghana” (IOM 2011).

Between May 2012 and April 2013, the DCIM deported nearly 25,000 foreign nationals, primarily on the grounds that they were in Libya “irregularly.” Among those deported were 10,402 Egyptians, 6,404 Niger nationals, 1,912 Chadians, and 111 Malians (AI 2013b). In 2013, more than 25,000 people were reportedly pushed back over Libya’s southern borders into Niger and Chad (Al Jazeera 2014). Of the 40,000 irregular migrants who were arrested in 2013, the Libyan government deported more than 30,000. Most of the migrants came from Niger, Sudan, Chad, and Egypt. Libya reportedly spent \$25 million in 2013 to accommodate and then deport immigrants (Almesryoon 2014).

According to UNHCR, some 130,000 persons (or about 85 percent of all arrivals) were reported to have arrived in Italy from Libya by boat during the period January-October 2014 (UNHCR 2014). More than 1,000 persons reportedly lost their lives attempting to reach Europe from Libya by sea during the first seven months of 2014 (UNSC 2014):

Quick Facts: Libya

- Number of immigration detainees: **[unknown]** (2014)
- Number of minors detained: **[unknown]** (2014)
- Number of asylum seekers detained: **[unknown]** (2014)
- Total estimated immigration detention capacity: **[unknown]** (2014)
- Estimated capacity of dedicated long-term immigration detention centres: **[unknown]** (2014)
- Number of dedicated long-term immigration detention centres: **19** (2014)
- Maximum length of detention in law: **No limit** (2014)
- Maximum length of detention in practice: **No limit** (2014)
- Average length of detention: **[unknown]** (2013)
- Number of persons expelled: **30,000** (2014)
- Estimated undocumented population: **1.8 - 3 million** (2011)
- Number of asylum applications: **unknown** (2014)
- Number of international migrants: **unknown** (2011)
- International migrants as a percentage of total population: **unknown** (2014)
- Immigration detainees as a percentage of total international migrant population: **unknown** (2014)

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