Libya Immigration Detention Data Profile



Global Detention Project Profile



Quick Facts	
Immigration detainees (2018)	Not Available
Detained asylum seekers (2018)	Not Available
Detained minors (2018)	Not Available
Immigration detention capacity (2018)	Not Available
International migrants (2019)	818,216
New asylum applications (2019)	12,143
Number of immigration detainees on a given day (2020)	2,400

NOTES ON USING THIS PROFILE

- Sources for the data provided in this report are available online at: https://www.globaldetentionproject.org/countries/africa/libya
- "Observation Dates" indicate the timeframe statistical data correspond to or other data were last validated. More than one statistical entry for a year indicates contrasting reports.

© Global Detention Project 2020 1/10

STATISTICS

Detention, expulsion, and incarceration statistics

		Observation Date			Observation Date
	Not Available	2018		2,400	2020
	8,672	2018		2,362	2020
Total number of			Number of immigration	5,700	2019
immigration detainees by year			detainees on a given day	8,672	2018
				10,000	2018
				20,000	2017
Number of detained	Not Available	2018	Total number of	Not Available	2018
asylum seekers			detained minors	Not Available	2017
Number of detained unaccompanied minors	Not Available	2018	Number of detained accompanied minors	Not Available	2018
Number of detained	Not Available	2018	Number of	Not Available	2018
stateless persons			apprehensions of non- citizens		
Immigration detainees	Not Available	2018	Estimated total	Not Available	2018
as a percentage of total international migrant population			immigration detention capacity	4,000 - 7,000	2016
	Not Available	2018		Not Available	2018
	24	2016			
Number of dedicated long-term immigration detention centres	18	2016	Estimated capacity of dedicated long-term		
	15	2015	immigration detention centres		
	19	2014	55.11.55		
	17	2013			
	5,065	2020		6,187	2014
				5,090	2013
Number of				3,186	2012
deportations/forced returns only			Criminal prison population	13,242	2010
returns only				13,217	2007
				9,763	2004
				6,750	1998
	12.8	2013		99	2014
				82	2013
			Prison population rate	52	2012
Percentage of foreign prisoners			(per 100,000 of national population)	220	2010
			population)	230	2007
				178	2004
				135	1998

© Global Detention Project 2020 2/10

Demographics and imm	igration-related st	atistics			
		Observation Date			Observation Date
	6,900,000	2020		818,216	2019
	6,374,616	2017		788,000	2017
Population	6,600,000	2012	International migrants	416,556	2017
				771,100	2015
				756,000	2013
	12.1	2019		4,730	2019
	12.4	2017		8,794	2018
International migrants	12.3	2015	Dafirmana	9,352	2017
as a percentage of the population	12.2	2013	Refugees	9,301	2016
				9,305	2015
				25,561	2014
	1.47	2016		12,143	2019
Ratio of refugees per 1000 inhabitants	4.47	2014	Total number of new asylum applications	1,900	2016
	1.17	2012		4,457	2012
Refugee recognition rate	100	2014			

DOMESTIC LAW										
LEGAL TRADITION										
	Name	ame Observation Date								
Legal tradition	Civil law		2017							
	Muslim law		2017							
LAWS AND REGULATIONS										
	Name		Year Adopted	Last Year Amended						
Additional legislation	Law No. (6) of 1987 on organising the entry, resi foreigners in Libya, as as amended by Law	1987	2004							
	Law No. 19 of 2010 on Combating Irregula	ar Migration	2010							
GROUNDS FOR ADMINIST	RATIVE IMMIGRATION-RELATED DETENTION									
Immigration-status-	Name		Observation Date	e						
related grounds	None		2018							

© Global Detention Project 2020 3/10

CRIMINALIZATION OF IMM	IGRATION-RELATED O	FFENCE	S						
Does the country provide specific criminal penalties for	Fines		Incar	Incarceration				ion Date	
immigration-related violations?	Yes			Yes			201	18	
CRIMINALIZATION OF IMM	IIGRATION-RELATED O	FFENCE	s						
Grounds for criminal	Grounds for Incarcera	ation	Maximum	Numbe	r of Days of	Incarcerat	ion:	Observation Date	
immigration-related detention/incarceration	Unauthorized exit							2018	
and maximum potential duration of	Unauthorized entry	′						2018	
incarceration	Unauthorised stay			2018					
LENGTH OF DETENTION									
Maximum length for administrative	Num	nber of I	Days			Obse	rvation Da	te	
immigration detention in law.		No Limit	:				2019		
NON-CUSTODIAL MEASUR	ES (ALTERNATIVES TO	DETEN	TION)						
Types of non-custodial	Name		In Law		In Practice	Obser		vation Date	
measures	None		No				2018		
VULNERABLE PERSONS									
	Name		In La	w	In P	ractice	Obs	servation Date	
Is the detention of	Accompanied mir	nors	Not men	tioned		Yes		2015	
vulnerable persons provided in law? Are	Unaccompanied m	inors	Not men	tioned		Yes		2015	
they detained in practice?	Asylum seeker	S	Not men	tioned		Yes		2014	
	Refugees		Not men	tioned		Yes		2014	

© Global Detention Project 2020 4/10

	Update Status	Observation Date
	COVID-19 cases are rising in Libya, rising from 200 cases in June to some 28,000 cases by October 2020. Movement restrictions along with curfews, as well as the ongoing conflict and economic crisis, have led to sharp increases in food prices, making it hard for refugees and asylum seekers to support themselves. In response, the UN refugee agency (UNHCR) and world food programme (UNWFP) have expanded efforts to provide these vulnerable populations with emergency food assistance, including people recently released from detention centres. More than 20 people, including minors, were assisted earlier this month following their release from Triq al Seka Detention Centre. A UNWFP representative said that "the situation is getting worse by the day. Many people can't access food for a number of reasons including prices going up and limited food availability. At the same time, there are almost no opportunities to work." OHCHR has also called for urgent action to address the situation of migrants crossing the central Mediterranean. A team dispatched by OHCHR to monitor the situation of migrants transiting through Libya, highlighted a "cycle of violence" whereby people were left to drift for days at sea, their boats dangerously intercepted, and then returned to suffer arbitrary detention, torture, and other serious human rights violations in Libya. Many refugees and asylum seekers reported that the Libyan Coast Guard shot or rammed their boats, causing vessels to capsize or people to jump in the water in desperation. According to LOM, during the week of 22-28 September 2020, 517 migrants were intercepted at sea after departing Libya, and so far during 2020 more than 9,400 people had been returned to the country after being intercepted. Detention numbers have likewise remained high as many returnees are locked up upon arrival. According to UNHCR, as of 18 September 2020, 418 migrants and refugees in the eight official detention centres throughout the country. People intercepted at sea are generally sent (Al Nasr, Abb Salim,	2020
Latest Update	Responding to the Global Detention Project's Covid-19 survey, an official from an international organisation, verified by the GDP, reported that no moratorium had been established in the country and that no immigration detainees had been released as a result of the pandemic (see 15 May Libya update on this platform). According to the official, authorities have not established any mechanisms or systems to protect people in case of release. UNI-CR, however, has put protocols in place, following WHO recommendations and in coordination with health partners and counterparts, in order to address the Covid-19 situation and ensure the continuation of activities in the protection of refugees and asylum-seekers. The source also said that immigration detainees were not routinely tested for Covid-19 and that deportations had not been suspended. The country has closed certain airports and increased monitoring at the borders, but no specific policies or laws have been adopted. On 15 June JUNI-CR and WFP launched a joint programme to provide emergency food aid to refugees and asylum-seekers living in the urban community in Tripoli, aiming to reach 10,000 individuals this year. As of 18 June, 4,551 refugees and migrants had been registered as rescued/intercepted at sea by the Libyan Coast Guard and disembarked in Libya. On 17 June, two disembarkation operations took place during which 320 individuals were renared to Tripoli. UNHCR and its partner, the International Rescue Committee, were present to provide urgent medical assistance and core relief items, before individuals were transferred to detention centres by the Libyan authorities. According to UNHCR, there are 48,834 registered refugees and asylum-seekers in Libya and 231 have been released from detention in 2020. MSF has stated that they are particularly concerned about the situation of refugees, asylum seekers and migrants in detention, those in urban settings, and those in need of evacuation/resettlement. MSF indicated that the 1,500 people currently held in detention	2020
	UNHCR has reported that more than 2,300 remain confined in centres operated by the UN-backed Government of National Accord. Conditions remain a critical concern, with many detainees facing violence and abuse, food shortages, lack of sanitary facilities, and severe overcrowding. Reportedly, the agency has called for an "orderly release" for all those detained and for alternatives to detention for persons intercepted at sea. However, many thousands more remain detained in "unofficial" facilities. Operated by militia groups, the conditions faced by those confined in such sites are of even greater concern. Reportedly, the number of such sites have "mushroomed" in the wake of the Libyan government's decision to shutter several detention facilities in late 2019. According to the IOM, more than 3,000 persons apprehended by the Libyan coastguard have disappeared into unofficial facilities or have remained unaccounted for since the start of 2020. Since the first Covid-19 case was detected and confirmed in Libya on 25 March, more than 3,100 migrants and refugees have been intercepted at sea and returned to the country. However, none of those returned have been tested for the virus. The country's National Centre for Disease Control is responsible for Covid-19 testing, but has only been present at a "handful of disembarkations" since March. Across much of the rest of the country, testing is almost entirely unavailable. NGOs including the International Rescue Committee, have flagged this and urged immediate action. "Although we try to carry out basic temperature checks, sometimes even this simple step is not allowed. The lack of something so basic - let alone the ability to carry out proper testing - is a real cause for concern because it means there is a risk that the disease is being spread in the detention centres and in communities, and is going undetected."	2020
	Reports indicate that while Libya has taken steps to release some prisoners, its detention centres for holding migrants and asylum seekers remain in operation. In Tripoli, 466 prisoners were released in early April. Although many migrant detention centres are still functioning, staff have reportedly been reduced to a minimum. Doctors Without Borders reported that the number of detainees has not been reduced since the beginning of the pandemic, and there are apparently no plans to close the centres. According to Info-Migrants, the situation is critical in the detention centres that do not benefit from NGOs support. Human Rights Watch highlighted the fact that with the conflict in Libya, the health care system is not sufficient to "provide adequate care to the thousands of detainees who live in overcrowded and unsanitary prisons, or to migrants held in abusive detention centers." A spokesperson for the International Organization for Migration said that "the situation for migrants in Libya is worse than it has ever been." The pandemic has not reduced the flow of migrants and when vehicles are intercepted by Libyan border guards, migrants are apprehended and removed to locations in cities. On 15 May, UNHCR reported. "Amidst deteriorating security conditions, as well as restrictions on movement due to COVID19 the UN Refugee Agency has provided emergency assistance to some 3,500 refugees and internally displaced Libyans during the last two weeks. The assistance package helped some 1,600 urban refugees, more than 700 refugees being held in detention and close to 1,500 displaced Libyans in different sites across Libya, and included one month's worth of food and hygiene kits." In mid-April, lockdown was established in the West region of the country. There were 64 confirmed cases of Covid-19 on 14 May. The curfew, implemented from 6pm to 6am, has been extended until 17 May. These measures, alongside the increased presence of police in the streets, has greatly impacted undocumented migrants. The fear of deportation p	2020
	On 21 March 2020, the Rights Group for Migration (RGM) issued a statement calling on authorities to protect migrants and asylum seekers in detention from the risk of infection. They called, among other measures, for the provision of sterilization and hygiene materials to detention centres as well as isolation rooms; the elimination of overcrowding; and the release of children, women, and those with special needs (given that they "pose no threat to public security"). The UNHCR also called on Libyan authorities to ensure the access and inclusion of all population groups in Libya to health surveillance, preparedness, response plans and activities. The agency called for the orderly release of those held in detention into the community and repeated that detained asylum seekers and refugees are particularly vulnerable and exposed, given poor sanitation facilities, limited health services and overcrowded conditions. In an email to the Global Detention Project on 3 April, the Rights Group of Migration (RGM) reported that some detention centres had released detainees, but not specifically as a response to Covid-19. The Alsabba (Al Sabaa) detention center in Tripoli released all its detainees, however, according to the Rights Group for Migration (RGM) reported that some detention center to a military barracks. "Also the Abo Saleem (Abu Salim) DC in Tripoli released the Migrants, but this was due to lack of food. The main issue which facing all migrants in the detention centers, according to the Rights Group for Migration, is "the lack of the basic food, people are dying because of lack of food." The RGM reports that this is a long-standing issue that pre-dates Covid-19. "The last 3 months DC's authorities couldn't supply the food to the detained migrants, this include the detained children and the pregnant women." More than 120 Migrants in Suou Elkhamees DC (Al Khoms City), are suffering from lack of food, and the authorities refuse to release them until now. Not only this, the new arrested migrants are detained with the	2020

INTERNATIONAL LAW

© Global Detention Project 2020 5/10

ICRMW, International Convention on the Protection of the		Ratification Year					
	CRPD, Convention on the Rights of Persons with Disabilities						
Members of Their Familie		2004					
CTOCTP, Protocol to Prevent, Suppress and Punish Traffick and Children	CTOCTP, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children						
	CTOCSP, Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime						
VCCR, Vienna Convention on Consul	VCCR, Vienna Convention on Consular Relations						
	CRC, Convention on the Rights of the Child						
CEDAW, Convention on the Elimination of All Forms of	CEDAW, Convention on the Elimination of All Forms of Discrimination against Women						
CAT, Convention against Torture and Other Cruel, Inhur Punishment	CAT, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment						
CRSSP, Convention Relating to the Status of	CRSSP, Convention Relating to the Status of Stateless Persons						
ICCPR, International Covenant on Civil ar	ICCPR, International Covenant on Civil and Political Rights						
ICESCR, International Covenant on Economic, So	ICESCR, International Covenant on Economic, Social and Cultural Rights						
ICERD, International Convention on the Elimination of A	ICERD, International Convention on the Elimination of All Forms of Racial Discrimination						
Ratio of relevant international treaties ratified 12/1	19						
Relevant international treaties and date of ratification							
Name		Acceptance Yea					
	nt on Civil and Political Rights, 1966	1989					
Individual complaints ICCPR, First Optional Protocol to the International Covenan	CEDAW, Optional Protocol to the Convention on the Elimination of Discrimination against						
procedure	nination of Discrimination against	2004					
procedure CEDAW, Optional Protocol to the Convention on the Elim	nination of Discrimination against	2004					
CEDAW, Optional Protocol to the Convention on the Elim Women, 1999	nination of Discrimination against Observation Date	2004					

© Global Detention Project 2020 6/10

	Name	Recommendation Excerpt	Recommendation Year
Relevant recommendations issued by treaty bodies	Committee on Migrant Workers	 (a) Amend Law No. 6 (1987), amended by Law No. 2 (2004), and Law No. 19 (2010) in order to decriminalize irregular migration; (b) Release all migrants detained arbitrarily, in particular those detained on the grounds of their migration status; ensure that the detention of migrants is an exceptional measure of last resort applied for the shortest possible time, that grounds are specified in each case, giving the reasons why alternative measures cannot be implemented, and that the measure is reviewed in under 24 hours by an independent and impartial judicial authority; and develop non-custodial alternatives to detention; (c) Prohibit, in law and in practice, the detention of migrant children, in accordance with joint general comments No. 3 and No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families / No. 22 and No. 23 (2017) of the Committee on the Rights of the Child on the human rights of children in the context of international migration; (d) Ensure that migrant workers and members of their families have access to legal aid, effective remedies, justice and consular services, and that the guarantees enstrined in the Convention are upheld, in full compliance with articles 16 and 17 of the Convention; (e) Establish a registration system for detained migrants that is integrated with the registration system used by the Libyan Coast Guard at the disembarkation of migrants rescued or intercepted at sea, while respecting the human rights of migrants, including their right to privacy; (f) Ensure that, in administrative and judicial proceedings, including for charges not related to immigration status, migrant workers and members of their families are guaranteed due process on an equal basis with nationals of the State party before the courts and tribunals. 41. The Committee urges the State party, in exceptional cases where detention centres, and notes that the centres should not resemble a prison fac	2019

© Global Detention Project 2020 7/10

of the child and non-discrimination, and to investigate and punish in an appropriate manner State officials who violate the rights of migrants; (e) To strengthen mechanisms to regularly monitor conditions in migrant detention centres, and to ensure the implementation of the policy of the Ministry of the Interior granting human rights monitors and humanitarian agencies free, unannounced and unhindered access to all migrant detention centres.

	Year of Ratification (Tourn to the control of the c						
	ACHPR, African Cha	1986					
Regional legal instruments	ACRWC, African Charter	2000					
	APRW, Protocol to the African Rights of Wom	2004					
	Convention Governing the Spe Re	1981					
ilateral/Multilateral agr	eements linked to readmissio	ns					
Bilateral/multilateral	Name	,	fear in Force	Observation Date			
agreements linked to	Italy		2017		2019		
readmission	France		2007		2017		
		eme					
lon treaty-based interna	tional numan rights mechanis	51115					
on treaty-based interna Relevant	Recomendation Issu		Year Issued		Observation Date		
Relevant recommendations of the UN Universal Periodic			Year Issued 2015		Observation Date		

INSTITUTIONAL IN	DICATORS									
Institutions responsible for immigration detention										
	Agency	Ministry	Ministry Typology	Observation Date						
	Department for Combating Illegal Immigration (DCIM)	Ministry of the Interior	Interior or Home Affairs	2019						
	Department for Combating Illegal Immigration (DCIM)	Ministry of the Interior	Interior or Home Affairs	2017						
Custodial authority	Department for Combating Illegal Immigration (DCIM)	Ministry of the Interior	Interior or Home Affairs	2014						
Custodial authority	Department for Combating Illegal Immigration (DCIM)	Ministry of the Interior	Interior or Home Affairs	2013						
	The 9th Brigade, a militia nominally under the control of the Ministry of Defence		Non-State Actor - Militia/Armed Group	2013						
	Departments of Anti-Infiltration and Illegal Immigration	Ministry of Interior	Interior or Home Affairs	2009						
	Departments of Anti-Infiltration and Illegal Immigration	Ministry of Interior	Interior or Home Affairs	2007						

© Global Detention Project 2020 8/10

Institutions I	responsibl	e for imm	igration d	etention											
				Enti	ty Name					Ent	tity Ty	pe		Observati	on Date
		Mi	nistry of I nt		artment for ation (DCIN		g Ille	gal		Gov	ernmei	ntal		201	9
		Mi	nistry of I nt		artment for ation (DCIN		g Ille	gal		Gov	ernmei	ntal		201	7
Detention		Mi	nistry of I nt		artment for ation (DCIN		g Ille	gal		Gov	ernmei	ntal		201	4
Manag	ement	Mi	nistry of I nt		artment for ation (DCIN		g Ille	gal		Governmental				201	3
	The 9	The 9th Brigade, a militia nominally under the control of the Ministry of Defence								ctor - M Group	lilitia/Ar	med	201	3	
			Police								ernmei	ntal		200	9
				F	Police					Gov	ernmei	ntal		200	7
Institutions i	responsibl	e for imm	igration d	etention											
Types of detention facilities used in practice	Immigration detention centre (Administrative)	Immigration field office (Administrative)	Transit centre (Administrative)	Reception centre (Administrative)	Offshore detention centre (Administrative)	Hospital (Administrative)		ler guard inistrative)	Police station (Criminal)	National penitentiary (Criminal)	Local prison (Criminal)	Juvenile detention centre (Criminal)	Informal camp (Ad hoc)	Immigration Surguments of Surg	y Observation
															2015
Detention m	onitoring i	nstitution	ns .												
				Institu	tion					stitutio				Observation Date	
		Unite	United Nations Support Mission in Libya (UNSMIL) Intern							ional or Regional Bodies (IRBs)				2018	
Authorized institu		y Unit	United Nations High Commissioner for Refugees (UNHCR)							ational or Regional Bodies (IRBs)				201	8
		Inte	International Committee of the Red Cross (ICRC) Non-Go							overnmental Organizations (NGO)				201	7
			Médecins Sans Frontières (MSF) Non-G							overnmental Organizations (NGO) 2017				7	
Detention m	onitoring i	nstitutior	ns												
Is the natio	ution (NHR		Is the NHRI recognized as independent by the International Coordinating Committee of National Human Rights Institutions?								Observati	on Date			
recogni indepe						No								201	8
Detention m	onitoring i	nstitution	ıs												
Do NGOs			Do	NGOs reg	ularly car	ry our vis	its?					Obser	vatio	n Date	
visi	ts?				Yes								2018		
Detention m	onitoring i	nstitution	ns												
Do internati regional bo visit imm	dies (IRBs		internatio	nal and/o		bodies (I			rly vis	it immi	gratio	n-relat	ed	Observati	on Date
related d facili	etention					Yes								201	8

© Global Detention Project 2020 9/10

Outsourcing and	g privat	isation													
Detention contractors and other non-state entities	Name of entity	Type of entity	Detainee transport	Food services	Health care	Social services	Laundry services	Legal counselling	Management	Owner of detention facility	Recreation	Security	Telephone service	Translation services	Observation Date
	UNHCR (as part of Mixed Migration Working Group)	International organisation			Yes	Yes									2017
	IOM (as part of Mixed Migration Working Group)	International organisation			Yes	Yes									2017
	UNHCR and IOM Partner NGOs (as part of Mixed Migration Working Group)	Not for profit			Yes	Yes									2017
Foreign sources	of fund	ding for	detentio	n oper	ation	S						'			
Does the co			Benefitted from non-state funding sources? Observati								servatio	n Date			
receive exte sources of fu						Y	'es						2018	3	
Foreign sources	of fund	ding for d	detentio	n oper	ation	s									
						Descrij	otion o	f non-sta	te assista	nce				Observat	ion Date
Description of				€	20 mi	llion : E	U migra	ation-relat	ed bilatera	l assistar	ice			20:	18
assistand	€26	6 million	ı: Europ					nd for Afric		(impleme	ented by	y UN	2018		

agencies, EU Member States and NGOs)

More information about immigration detention in Libya is available at the website of the Global Detention Project $(\underline{www.global detentionproject.org})$

Global Detention Project | 1-3 rue de Varembé | T: +41 (0) 22 548 14 01 / +41 (0) 22 733 08 97 | E: admin@globaldetentionproject.org

10/10 © Global Detention Project 2020