



# Security Council

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## Implementation of Security Council resolution [2652 \(2022\)](#)

### Report of the Secretary-General

#### I. Introduction

1. The present report is submitted pursuant to Security Council resolution [2652 \(2022\)](#), in which the Council renewed the authorizations as set out in paragraphs 7, 8, 9 and 20 of resolution [2240 \(2015\)](#) and requested the Secretary-General to report on the implementation of resolution [2652 \(2022\)](#), in particular with regard to the implementation of paragraphs 7 to 10 of resolution [2240 \(2015\)](#).

2. The report covers developments since the previous report of 30 August 2022 ([S/2022/655](#)) until 10 August 2023. The information and observations in the report are based on submissions by Member States, relevant international and regional bodies, and United Nations system entities.

#### II. Smuggling of migrants and trafficking in persons in the Mediterranean Sea off the coast of Libya

##### A. Update on developments along the central Mediterranean route

3. The Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM) estimated that, during the reporting period, around 2,308 refugees and migrants lost their lives or went missing along the central Mediterranean route alone, rendering it the deadliest route for refugees and migrants trying to reach Europe. IOM and UNHCR documented at least 442 refugees and migrants dying or going missing at sea along the western Mediterranean route (compared with 247 in the previous reporting period) and 361 along the eastern Mediterranean route (compared with 160 in the previous reporting period). It is estimated that some 3,111 persons died or went missing in the Mediterranean Sea as a whole between August 2022 and June 2023, representing a 77.67 per cent increase compared to the previous reporting period, during which at least 1,751 people died or went missing.

4. IOM indicated that it is likely that additional people drowned along the central Mediterranean route as a result of “invisible shipwrecks”, in which the final whereabouts of boats transporting refugees and migrants could not be established. IOM documented the recovery of 386 human remains that could not be linked to any known shipwreck during the reporting period.



5. According to UNHCR and IOM, some 169,219 people arrived in Europe along the three main sea routes across the Mediterranean between September 2022 and July 2023, representing an increase of 51 per cent compared with the previous reporting period. The central Mediterranean route accounted for about 133,514 refugees and migrants arriving by sea to Italy and Malta, representing a 54 per cent increase in arrivals by sea compared to the previous reporting period (69,328). Most had departed from Libya (45 per cent) and Tunisia (43 per cent), with smaller numbers departing from Algeria, Egypt and Türkiye.<sup>1</sup>

6. Between September 2022 and June 2023, over 51,000 migrants and refugees (81 per cent men, 3 per cent women and 16 per cent children) reached Europe from Libya compared with 36,253 during the previous reporting year; 65,500 refugees and migrants are reported to have arrived in Italy by sea in the first half of 2023.<sup>2</sup> In the first half of 2023, Tunisia surpassed Libya as the country from which most people irregularly departed for Italy. Compared to the same period in 2022, the number of people that irregularly departed Tunisia for Italy increased by 137 per cent and marks a shift in migration dynamics along the central Mediterranean route.

7. According to the European Border and Coast Guard Agency (Frontex),<sup>3</sup> the nationalities of the 87,500 people who arrived in Europe using the central Mediterranean route in 2022 were primarily Egyptian (19,700), Tunisian (17,400), Bangladeshi (13,800), Syrian (7,900) and Afghan (6,800). Data collected for 2023 to date indicate an increase in the number of migrants and refugees from West Africa. Statistics compiled by the Ministry of the Interior of Italy show that the countries with the highest percentage of nationals arriving in Italy during the first six months of 2023 were Côte d'Ivoire (12 per cent) and Guinea (11 per cent), followed by Egypt (11 per cent), Pakistan (9 per cent) and Bangladesh (9 per cent).<sup>4</sup>

8. Between August 2022 and June 2023, more than 61,000 people (81 per cent men, 3 per cent women and 16 per cent children) reached Europe from Libya compared with 36,253 during the previous reporting period. Although the western shoreline between Zuwarah and Misratah remained the main departure point for migrants and refugees from Libya, an increasing number of departures from eastern Libya was recorded in 2023, with traffickers using larger vessels carrying several hundred persons. The vessel that capsized off the coast of Greece on the night of 13 to 14 June 2023 had departed from Egypt before taking on additional passengers in Tubruq in eastern Libya. It is estimated that the vessel was carrying between 500 and 750 migrants and asylum-seekers, including women and children. As at 21 June, 104 people had been rescued and 81 bodies had been recovered, with hundreds missing and presumed drowned.<sup>5</sup>

<sup>1</sup> Türkiye is located on the eastern Mediterranean route.

<sup>2</sup> Italy, Ministry of the Interior, Department of Public Security, *Cruscotto Statistico Giornaliero*. Available at [www.libertaciviliimmigrazione.dlci.interno.gov.it/sites/default/files/allegati/cruscotto\\_statistico\\_giornaliero\\_30-06-2023.pdf](http://www.libertaciviliimmigrazione.dlci.interno.gov.it/sites/default/files/allegati/cruscotto_statistico_giornaliero_30-06-2023.pdf).

<sup>3</sup> Frontex, "Monitoring and risk analysis", migratory map. Available at <https://frontex.europa.eu/what-we-do/monitoring-and-risk-analysis/migratory-map/> (accessed on 22 June 2023).

<sup>4</sup> Italy, Ministry of the Interior, Department of Public Security, *Cruscotto Statistico Giornaliero*. Available at: [www.libertaciviliimmigrazione.dlci.interno.gov.it/sites/default/files/allegati/cruscotto\\_statistico\\_giornaliero\\_30-06-2023.pdf](http://www.libertaciviliimmigrazione.dlci.interno.gov.it/sites/default/files/allegati/cruscotto_statistico_giornaliero_30-06-2023.pdf)

<sup>5</sup> Office of the United Nations High Commissioner for Human Rights, Committee on Migrant Workers, "Greece shipwreck: UN committee dismayed by rising death toll, calls for international cooperation to prioritize safe migration pathways", statement, 21 June 2023. Available at <https://www.ohchr.org/en/statements/2023/06/greece-shipwreck-un-committee-dismayed-rising-death-toll-calls-international>.

9. UNHCR reported that between September 2022 and August 2023, 798 people who had departed from Libya were disembarked in Tunisia after having been rescued or intercepted at sea by Tunisian authorities. UNHCR further reported that, during the period under review, 213 interception operations were conducted, with a total of 20,078 individuals intercepted, returned and disembarked in Libya. Interception operations targeting those who had departed from Libya, who were then disembarked back in Libya, were conducted by the Libyan Coast Guard (59 per cent), the Stability Support Apparatus (15 per cent), the General Administration for Coastal Security (9 per cent) and the Special Naval Forces of the Libyan National Army (5 per cent). The remaining operations (12 per cent) were conducted by others, such as other maritime authorities and fishing boats.

10. The European Union estimated that 70,216 people were rescued or intercepted during 1,292 operations conducted by various vessels in the area of operations of the European Union military operation in the Mediterranean (Operation IRINI). Of these, 27 operations, which intercepted and returned 1,578 people to Libya, were conducted by the Libyan institutions responsible for law enforcement and search and rescue at sea, including the Libyan Coast Guard. The European Union reported that Operation IRINI assets contributed to three search and rescue missions involving 1,295 persons.

11. According to the United Nations Support Mission in Libya (UNSMIL) and the Office of the United Nations High Commissioner for Human Rights (OHCHR), recurrent interceptions at sea conducted by the Libyan Coast Guard to prevent migrants and refugees from reaching the external borders of the European Union endangered the safety of passengers. There continued to be reports of frequent collusion between the Libyan Coast Guard and traffickers, leading to the return of migrants and refugees to Libya for further exploitation. Once intercepted and returned, migrants and refugees are transferred to official and unofficial detention centres, where they are re-victimized. Allegations also suggest that agencies and member States of the European Union do not respond to vessels in distress at sea and either abandon or illegally push back outside their respective search and rescue regions boats with migrant and refugee passengers.

12. On 30 November 2022, the non-governmental organization European Center for Constitutional and Human Rights, together with Sea-Watch, filed a communication with the International Criminal Court “against 24 individuals, including 16 high-level decision makers” from European Union member States, the European Commission, Frontex, the European External Action Service and the European Union Naval Force, concerning interceptions by Libyan actors of migrants and refugees at sea and their systematic return to and detention in Libya. Both organizations requested the International Criminal Court to investigate the individual criminal responsibility of officials of European Union member States and agencies.<sup>6</sup>

### **Returns to Libya**

13. According to several United Nations entities, Libya remained a port that was not safe for the disembarkation of migrants and refugees intercepted or rescued at sea. Returns to Libya by Libyan actors, including the Libyan Coast Guard, often violated the principle of non-refoulement. Migrants and refugees systematically returned to Libya faced risks of death, disappearance, arbitrary detention, torture, ill-treatment, gender-based violence, trafficking, excessive use of force, exploitation and other human rights violations and abuses by both State and non-State actors.

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<sup>6</sup> European Center for Constitutional and Human Rights, “Severe deprivation of liberty in the Mediterranean Sea – The ICC must investigate”. Available at [www.echr.eu/en/case/interceptions-of-migrants-and-refugees-at-sea/](http://www.echr.eu/en/case/interceptions-of-migrants-and-refugees-at-sea/).

14. Migrants and refugees crossing the Mediterranean are often intercepted, most frequently by the Libyan Coast Guard but also by other Libyan entities, such as the Stability Support Apparatus, the Libyan National Army and the General Administration for Coastal Security, and brought back to Libya. The absence of handover procedures and the economic benefits of this cycle cause a high, substantial risk of re-trafficking and re-victimization.

15. According to IOM and UNHCR, at least 20,078 migrants and refugees (71 per cent men, 4 per cent women, 2 per cent children and 23 per cent unknown) were intercepted and returned to Libya during the period under review, which represents an increase of 7 per cent compared with the previous reporting period, when more than 18,725 migrants and refugees were returned to Libya. Irregular migration continues to be criminalized and the detention of irregular migrants is stipulated under Libyan national law.

16. UNHCR observed a slight uptick in disembarkations from September to December 2022 compared to the same period in 2021, and a decrease in disembarkations since the beginning of 2023 compared to the previous year. In several incidents, Libyan actors conducted interventions in the Maltese search and rescue region, resulting in additional disembarkations in Libya.

## **B. Methods of migrant smugglers and traffickers in persons**

17. For most migrants and refugees, the journey northward and into the Mediterranean Sea involves the use of a series of intermediaries, which are characterized by a high level of fragmentation but operate in highly organized networks. In Libya, actors involved in migrant smuggling and human trafficking include State and non-State actors.

18. In its final report, published on 27 March 2023, the Independent Fact-Finding Mission on Libya highlighted that the trafficking, enslavement, forced labour, imprisonment, extortion and smuggling of migrants are part of a business model, enriching individuals, State institutions and security actors and incentivizing the continuation of human rights violations. The Department for Combating Illegal Migration, the Libyan Coast Guard and the Stability Support Apparatus, all of which are affiliated with the State of Libya, are named in the report as actors involved in the trafficking in persons and smuggling of migrants and refugees, thus making them accountable under international law. The Mission also indicated that the European Union and its member States directly or indirectly provided monetary, technical and logistical support to the Libyan Coast Guard and the Department for Combating Illegal Migration, which was used in the context of interception and illegal detention of migrants and refugees.

19. Extortion in detention centres takes multiple forms, with detention centre guards demanding ransoms from families, including through the use of torture, to secure the release of migrants, or offering to release migrants and refugees in exchange for sexual exploitation. This sponsorship system within the detention centres operates as a lucrative enterprise, extorting significant sums of money from migrants and refugees. Numerous migrant testimonies collected by UNSMIL confirm that several State and non-State entities participate in the exploitation and trafficking of migrants and refugees in Libya. Human rights abuses on a massive scale are a business model for organized crime in the country, with minimum or no repercussions.

20. Informal cooperation between the Stability Support Apparatus, the Zawiya/western branch of the Libyan Coast Guard and actors at the Nasr detention centre continued to play a significant role in the arbitrary detention of migrants and refugees, particularly in Warshafanah, where several makeshift detention centres are

operated by traffickers, the Stability Support Apparatus and criminal gangs. Migrants and refugees intercepted at sea are first taken to Nasr detention centre in Zawiyah, under the de facto control of Osama Milad, where they are released upon payment of a significant amount of money (ranging from \$1,000 to \$14,000). Those unable to pay are subjected to torture before being transferred to Maya detention centre under the control of Muammar al-Dawi.

21. On 4 February, six Egyptian nationals were abducted in Zawiyah, where they were reportedly detained at a migrant detention centre. Their families were reportedly requested by the abductors to pay a ransom for their release. On 17 February, the Egyptian Minister for Foreign Affairs stated that the six abductees had been freed.

22. Tactics employed by smugglers and traffickers remained largely the same as during the previous reporting period. Rubber, wooden and fiberglass boats were launched directly from the coastline of Libya in attempts to cross the northern line of the Libyan search and rescue region. From the east of Libya, migrants and refugees travelled in large wooden boats that can carry up to 500 to 600 people. In November 2022, smugglers in Tunisia started using more fragile, metal boats to cross the Mediterranean, making the journey even riskier for migrants and refugees.

23. In some cases, smugglers joined forces and combined different groups of migrants into the same vessel, suggesting that small-scale smugglers worked together to circumvent the increased patrols of the Libyan Coast Guard, or that smugglers worked for the same criminal organization. The sea crossing required high levels of organizational capacity, including access to financial capital upfront. According to the United Nations Office on Drugs and Crime (UNODC), smuggling fees ranged from \$150 to \$1,000 per person to cross the central Mediterranean route from Libya on smaller vessels and from \$3,400 and \$6,200 per person to cross on larger-capacity boats. Information collected by UNSMIL and OHCHR indicates that human traffickers and smugglers in Libya have been expanding their business model, trying to incentivize people to move from the Syrian Arab Republic to Europe through Libya.

24. Generally, smugglers, most of whom were Libyans, did not travel on the vessels, or if they did, they disembarked and returned to Libya on another vessel before interception, rescue or arrival. This suggests that those arrested on smuggling charges while travelling on the vessels were unlikely to be members of organized criminal groups but instead were migrants who received a discount for covering for the smugglers.

25. During the reporting period, human traffickers of Libyan and foreign nationalities operated throughout Libya, including in Kufrah, Tazirbu, Bani Walid, Umm al-Aranib, Sabha, Birak al-Shati', Shuwayrif, Zawiyah, Abu Isa in Zawiyah, Sabratah, Mayah and Qasr al-Qarabulli, and had the capacity to carry out multiple sea crossings per month. In the east, Tubruq was reported to be a major hub for sea departures. Trafficking routes between Sudan and Kufrah, as well as between Chad and Sabha and the Niger and Sabha, continued to be operated.

### **C. Situation in Libya for migrants and refugees**

26. As of April 2023, IOM reported a total of 705,746 migrants and refugees from over 44 nationalities present in Libya.<sup>7</sup> Nearly 90 per cent of migrants come to Libya in search of a better livelihood. Some 43 per cent of the migrants and refugees interviewed by IOM indicated that they had no fixed intention or plan, while 34 per cent reported wanting to stay in Libya. Fourteen per cent declared their interest in returning to their home country, and only 7 per cent were interested in migrating to

<sup>7</sup> See <https://dtm.iom.int/reports/libya-migrant-report-46-january-february-2023?close=true>.

another country from Libya. A small proportion of migrants (2 per cent) identified slow onset environmental degradation as the main reason for their migration to Libya, which is likely an underestimation, given that economic drivers, such as lack of job opportunities and rural unemployment, can be closely linked to climate-related hazards and environmental factors.

27. Overall, half of the migrants and refugees in Libya were from sub-Saharan Africa (49 per cent), 43 per cent were from North Africa and a minority were from the Middle East (4 per cent) or Asia (4 per cent). The largest proportion of migrants in Libya (55 per cent) were located in the west of the country, followed by the east (33 per cent) and the south (12 per cent).

28. As at 1 August, 47,214 refugees and asylum-seekers were registered with UNHCR in Libya. Of these, 31,918 were men and 15,233 were women. These numbers include 15,678 children (8,952 boys and 6,726 girls) and 855 elderly persons. Of the nine nationalities UNHCR is authorized by the Libyan authorities to register,<sup>8</sup> Sudanese and Syrian nationals continued to account for the largest groups.

29. Access by humanitarian agencies to several disembarkation points remained possible throughout the reporting period, although the restriction on direct access by UNHCR to disembarkation points in Tripoli imposed since June 2022 continued to be enforced, and interventions at disembarkation points in Tripoli are currently restricted to UNHCR implementing partners. Lack of regular access by United Nations agencies to all detention facilities further hampers the Organization's ability to assess the scale of human rights violations in detention facilities.

30. Throughout the reporting period, Libyan actors, including the Stability Support Apparatus, the 55th Infantry Brigade, the 51st Infantry Brigade "Duru' al-Rahbah" and the Counter-Terrorism Force in the west, and the Libyan Navy, under the command of the Libyan National Army, in the east, continued to conduct interception operations. Owing to the absence of clear interlocutors within those Libyan entities, UNHCR and its implementing partners experienced challenges in confirming the status of and gaining access to individuals intercepted during the operations, including those conducted by the Stability Support Apparatus. Government authorities made no progress in the registration of migrants and refugees at disembarkation points after interception operations or in detention facilities.

31. In February 2023, in western Libya, the 55th Infantry Brigade conducted ad hoc operations to disembark migrants and refugees at Mayah disembarkation point, with the support of the Stability Support Apparatus. Since June 2022, the 51st Infantry Brigade "Duru' al-Rahbah" of the Libyan Army has been disembarking at Qasr al-Qarabulli, and the Counter-Terrorism Force has conducted disembarkations at Dilah harbour in Zawiyah. In eastern Libya, the Libyan Navy, under the command of the Libyan National Army, intercepted or rescued several boats. International humanitarian actors are currently not present at disembarkation points in eastern Libya.

32. Migrants and refugees in Libya continued to be detained arbitrarily in official and unofficial detention centres by State actors and deprived of liberty by non-State actors. As of August 2023, UNHCR and IOM had recorded 30 active official detention centres for migrants and refugees operating in the country under the control of the Department for Combating Illegal Migration. As at 13 August, over 5,699 migrants and refugees were estimated to be present in those detention centres, the highest number since October 2021. Of those, on the basis of the nationalities UNHCR was authorized to register, it was established that 1,535 were forcibly displaced and

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<sup>8</sup> UNHCR is currently authorized to register nationals of Eritrea, Ethiopia, Iraq, Somalia, South Sudan, the State of Palestine, the Sudan, the Syrian Arab Republic and Yemen.

stateless persons, most of whom had been intercepted while attempting to cross the Mediterranean. About 12 per cent of the detained migrants were women. The United Nations Children's Fund (UNICEF) reports that children continued to be arbitrarily detained in the 14 detention centres of the Department for Combating Illegal Migration. As at 1 June 2023, an estimated 402 children (309 boys and 93 girls) were in detention. Thousands more were reportedly detained by the Stability Support Apparatus in three known detention centres (Mayah, Zahra and Nasr), to which United Nations agencies and humanitarian actors do not have access.

33. Traffickers and smugglers operating across Libya also continued to detain migrants, asylum-seekers and refugees in inhumane and degrading conditions. The Independent Fact-Finding Mission on Libya has found reasonable grounds to believe that since 2016 crimes against humanity have been committed against migrants throughout Libya in the context of deprivation of liberty. Notably, the Mission documented and made findings on numerous cases of, inter alia, arbitrary detention, murder, torture, rape, enslavement and enforced disappearance, confirming the widespread practice of such acts in Libya. It also concluded that there were reasonable grounds to believe that sexual slavery, "an additional underlying act of crime against humanity", was committed against migrants.<sup>9</sup> The Mission also found reasonable grounds to believe that migrants were enslaved in detention centres of the Department for Combating Illegal Migration in Abu Salim, Zawiyah and Mabani as well as in places of detention in Shuwayrif, Bani Walid, Sabratah, Zuwarah and Sabha. The Mission also reported on extrajudicial killings and enforced disappearances. UNSMIL did not receive a response to its requests to visit detention centres where migrants and refugees were held, except for a request for access to the Abu Salim detention centre for women and children. UNSMIL was nevertheless able to confirm that sexual slavery had been committed in Sabratah and Bani Walid.

34. Violations of the right to life continued to be of concern. Migrants and refugees have reportedly died as a result of torture, sexual and gender-based violence and inhumane detention conditions. On 7 October 2022, at least 15 migrants and asylum-seekers were killed in Sabratah. Eleven charred bodies were discovered inside a docked boat, with an additional four bodies found outside. Reports suggest that the deaths resulted from armed clashes between rival traffickers. On 10 November 2022, a human trafficker was reportedly arrested in Bangladesh, accused of killing 26 migrants from Bangladesh and 4 migrants from sub-Saharan Africa in Libya in May 2020.

35. Reports verified by UNSMIL and OHCHR confirm continued widespread sexual and gender-based violence against migrants and refugees in urban settings, detention centres and in the context of forced labour, exploitation, smuggling and trafficking. Torture, rape, humiliation and extortion resulted in multiple cases of death. Victims, both male and female, faced significant barriers in reporting these crimes to the Libyan authorities, including fear of retaliation and the absence of adequate, gender-sensitive legal protection frameworks.

36. Individuals who managed to escape from the Ayn Zarah detention centre, controlled by the Department for Combating Illegal Migration, and Battalion 42, controlled by Abdulhakim al-Shaykh, reported to UNSMIL and OHCHR that, upon arrival from the disembarkation port in Tripoli, migrants and refugees were subjected to strip searches, dogs were used to conduct searches, women were searched by male guards and children's diapers were searched. Personal belongings were confiscated and never returned.

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<sup>9</sup> A/HRC/52/83, para. 2.

37. Since October 2022, the Department for Combating Illegal Migration has opened two new detention centres in Tripoli to house women and children refugees and migrants, with female guards and a female detention centre manager, one detention centre in Shari 'al-Zawiyah for unaccompanied children and one detention centre in Abu Salim for women, children and unaccompanied girls. As of mid-June 2023, however, the Shari 'al-Zawiyah detention centre had been closed and all individuals transferred to Abu Salim detention centre.

38. The detention of migrants and refugees continued to be prolonged, without judicial oversight, procedural guarantees or consideration of individual protection needs. The conditions of detention across the country continued to be dire and inhumane, with a lack of food, water, power, ventilation and sanitation often contributing to the spread of diseases and in some cases death. Owing to overcrowded cells in the Ayn Zarah detention centre in Tripoli, detainees slept in shifts.

39. In a camp in Tazirbu, 231 asylum-seekers, including 3 women and 100 children, have been in detention for periods ranging from one to three years. Those who had spent three years in detention reported witnessing at least 39 deaths in the camp. Released individuals reported having been subjected to beatings for extortion. Verified survivor accounts confirm the recent deaths of seven men in the camp as a result of torture, disease and starvation. Migrants and refugees endured confinement in windowless rooms for months and were denied access to daylight.

40. Humanitarian actors and United Nations agencies observed that migrants and refugees in Libya were routinely at risk of arbitrary or collective expulsion, without an assessment of their individual rights and circumstances or protection considerations. Some were expelled to places where they might face persecution, torture, ill-treatment or other irreparable harm, in violation of the principle of non-refoulement. Expulsions from Libya routinely lacked due process and procedural guarantees, including judicial oversight. Individuals facing expulsions were often deprived of access to legal assistance, the ability to challenge the legality of their return and individual assessment. In addition, the expulsions often placed migrants and refugees in extremely vulnerable situations, including long and perilous return journeys, with migrants and refugees forced to travel on overcrowded vehicles across remote stretches of the Sahara desert, without adequate safety equipment, food, water or appropriate medical care.

41. IOM and UNHCR estimate that in 2022 over 15,695 migrants, refugees and asylum-seekers were expelled from Libya, including to Egypt (60 per cent), the Niger (20 per cent), the Sudan (14 per cent) and Chad (3 per cent). Expulsions increased in 2023, with an estimated 15,695 migrants expelled to date. For example, on 31 December 2022, the head of the Department for Combating Illegal Migration in Kufrah announced that 400 individuals, including women and children, had been expelled to the Sudanese border. Those expelled were victims of human trafficking, torture, sexual violence and extortion, and were ill as a result of the absence of basic health care.

42. On 31 May 2023, authorities in the eastern region established a security committee mandated to conduct operations against individuals suspected of involvement in smuggling. As a result of raids conducted on warehouses where migrants and refugees from different nationalities were present, approximately 5,500 migrants and refugees were transferred to the Musa'id border-crossing facility on the Libya-Egypt border and mass expulsions to Egypt were carried out. Migrants and refugees from other nationalities were reportedly transferred to detention centres. On 3 June, the raids reportedly expanded to other areas in eastern Libya near Musa'id, such as Bi'r al-Ashhab, Kambut and Bardiyah. IOM reported that a total of 12,000 individuals were expelled to Egypt from 31 May to 4 June alone, and 1,300 migrants



and refugees, mainly from Bangladesh, Pakistan and the Syrian Arab Republic, were transferred to detention centres in eastern Libya, including in Qanfudah and Tubruq.

43. In April and May, authorities in the western region, including the Department for Combating Illegal Migration, the Internal Security Agency, the Stability Support Apparatus and other local security actors, launched arrest campaigns against migrants and refugees in several areas, including Zuwarah and Tripoli. Over 840 undocumented migrants of various nationalities were reportedly arrested and detained from 14 to 18 May alone. The campaigns have generally been characterized by instances of violence and intimidation, subsequent arbitrary detention and, in some cases, family separations.

44. The campaigns of arbitrary arrests and deportations were accompanied by a rise in hate speech and racist discourse on online platforms and in other media, promoting anti-foreigner populist narratives and xenophobia, particularly targeting sub-Saharan Africans and Christian migrants and refugees.

45. From 25 to 28 May, the Ministry of Defence of Libya conducted several air strikes on two locations in Zawiyah, west of Tripoli, and the neighbouring coastal cities of Surman and Ujaylat, which the Ministry stated were aimed at targeting gangs trafficking fuel, drugs and persons. According to the Ministry, the strikes resulted in the destruction of seven boats intended for human trafficking, six warehouses for drug trafficking, weapons and equipment. During the second operational phase, air strikes resulted in seven civilians injured, including one woman and one child. In addition, 50 families were evacuated and one medical clinic was destroyed as a result of the air strikes.

### **III. Impact of coronavirus disease on the situation in the central Mediterranean and migrants and refugees in Libya**

46. In Libya, the coronavirus disease (COVID-19) pandemic resulted in the further deterioration of the fragile health system. Migrants and refugees were often reluctant to visit health facilities for fear of being arrested, incarcerated or deported. A survey on knowledge, attitudes and practices conducted by IOM in Libya in 2022 found that one in five migrants feared that discrimination based on ethnic, racial or tribal grounds would limit their ability to access health facilities if they were infected with COVID-19. The increasing number of migrants and refugees held in overpopulated detention centres heightened the risk of outbreak of communicable diseases, including COVID-19.

47. During the reporting period, the lifting of COVID-19-related travel restrictions did not have an impact on the evacuation and resettlement of refugees. UNHCR continued conducting polymerase chain reaction (PCR) tests for all refugees departing Libya on evacuation and resettlement flights. The World Health Organization (WHO) continued to advocate for the inclusion of migrants and refugees in the national COVID-19 vaccination campaign. By the end of 2022, only 18 per cent of the population, including migrants and refugees, had been fully vaccinated. IOM supported the vaccination campaign for migrants and refugees managed by the National Centre for Disease Control. As a result, a total of 13,297 migrants and refugees (12,324 men and 973 women) were vaccinated, including in six detention centres.

48. WHO expanded COVID-19 surveillance across the country and supported the implementation of international health regulations, such as preparedness measures at points of entry. WHO mobile medical teams also continued to provide essential health care for migrants and refugees.

49. UNICEF supported awareness-raising sessions about the benefits of COVID-19 vaccination to 949 migrants and refugees. From September 2022 to June 2023, UNICEF continued to provide life-saving immunization services to mothers and children in the detention centres of Abu Salim, Zlitan and Qanfudah, where a total of 148 children (84 girls and 64 boys) were vaccinated. UNICEF also provided life-saving interventions to more than 1,700 migrants and refugees, including women and children at Qanfudah detention centre.

#### **IV. Measures to counter migrant smuggling and trafficking in persons off the coast of Libya and related efforts**

50. Member States continued their efforts to prevent and combat the smuggling of migrants and trafficking in persons off the coast of Libya in line with Security Council resolutions 2240 (2015) and 2652 (2022), including by providing direct support to the Libyan authorities.

51. The mandate of Operation IRINI includes contributing to the disruption of the business model relying on migrant smuggling and human trafficking networks in the assigned area of operation. This task continued to be carried out from the air, as required under the operation's mandate, and mostly in the western region of Libya. From 30 August 2022 to 28 June 2023, 458 flights (more than 1,917 flight hours) were conducted under Operation IRINI, of which 14 flights (more than 91 flight hours) were conducted entirely in support of that task. Under Operation IRINI, data on smuggling of migrants and trafficking in persons off the coast of Libya continued to be collected and shared with the authorities of member States of the European Union and European Union agencies, including the European Union Agency for Law Enforcement Cooperation (Europol) and Frontex.

52. During the reporting period, Libyan authorities made progress towards the operationalization of the bilateral labour migration agreements with Egypt and the Niger, aimed at creating additional accessible safe, orderly and regular pathways for migration. In addition, Libyan authorities initiated a review of regularization options for migrants in Libya, the majority of whom were employed in the informal sector of the economy.

53. According to UNHCR, most smugglers and traffickers detained by Libyan authorities are foreigners. Very few Libyan traffickers had been arrested and detained, as they received prior notice of raids through their contacts in the Libyan security agencies. State actors involved in trafficking in persons and smuggling migrants continued to enjoy impunity. According to testimonies collected by UNHCR, most people arrested and charged with offences related to human trafficking were able to avoid trial and were released in exchange for money.

54. During the reporting period, IOM facilitated the voluntary humanitarian return of 6,942 migrants (4,621 men, 1,245 women, 510 boys and 566 girls), of whom 1,552 had been detained in detention centres. Voluntary humanitarian return continued to represent a life-saving option for many migrants. All migrants were offered support in the form of exit visas, medical checks, vulnerability screenings, pre-embarkation assistance and reintegration assistance upon return to their countries of origin.

55. UNHCR continued to work to enhance communication with communities along key routes to increase awareness of the risks associated with irregular journeys with smugglers and to advise people on how to access protection and assistance in their countries of origin and transit.

## V. Support to Libya and related efforts to combat migrant smuggling and trafficking in persons

56. The United Nations country team and UNSMIL continued to work collaboratively under the United Nations Sustainable Development Cooperation Framework. This strategic framework is foundational to determining the priorities and responsibility of each United Nations entity in Libya and is a catalyst for collaboration among the various actors involved in the country's development. The Cooperation Framework for Libya includes four development outcomes and two issue-specific collective outcomes. The second collective outcome is migration management. To this end, United Nations entities use their corresponding coordination mechanism, or results group, to jointly plan, monitor and report on their work on migration in Libya. This mechanism is a vital resource for United Nations entities to collaborate and often leads to joint programmes, projects and initiatives.

57. On 23 and 24 November 2022, UNSMIL and OHCHR organized a regional workshop in Tunis on migrant rights and international borders. Thirty representatives of international non-governmental organizations from Libya, Morocco and Tunisia exchanged best practices, agreed to expand a regional network of international non-governmental organizations working on migrants' rights in Libya to include additional members and agreed to establish a referral network to assist migrants and asylum-seekers in Libya, including with legal aid.

58. Throughout the reporting period, Egypt continued to intercept irregular migrants along its border with Libya. It also continued to cooperate with the European Union and UNODC to enhance border control and participated in a regional project, funded by the European Union, aimed at dismantling trafficking networks in Egypt, Libya, Morocco and Tunisia, in cooperation with UNODC. The project was focused on improving the detection and interception capabilities of border control institutions; strengthening the capabilities of first responders to identify and investigate migrant smuggling and human trafficking; building the capacity of law enforcement agencies; and strengthening criminal justice institutions. Morocco increased its bilateral cooperation with Libya on capacity-building for border control.

59. At its meeting on 6 July 2023, the African Union-European Union-United Nations tripartite task force on the situation of migrants and refugees in Libya called on Libyan authorities to set up non-discriminatory legal and policy frameworks for migrants and refugees, in line with international and African Union standards, with the aim of protecting lives along the migratory routes, particularly in Libya. The task force also offered to provide support to Libyan authorities in introducing practical alternatives to detention, such as release into the community or accommodation in migrant response centres, which should be established to provide psychosocial support and health assistance.

60. UNODC continued to provide technical assistance to Libya on dismantling human trafficking and migrant smuggling criminal networks, and on maritime safety and security management to address transnational organized crime, in line with international human rights principles. This included support to Libyan counterparts in the review and development of legislation against trafficking in persons and smuggling of migrants in line with the United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Protocol against Smuggling of Migrants by Land, Sea and Air.

61. IOM continued to conduct awareness-raising campaigns about the risks irregular migration pose to migrants and refugees, and to support migrants and refugees in detention centres managed by the Department for Combating Illegal

Migration through life-saving humanitarian and protection interventions. This included the provision of non-food items, medical consultations, psychological first aid and psychosocial assessments. IOM also provided life-saving humanitarian assistance to migrants and refugees upon disembarkation following interception at sea.

62. UNHCR continued to facilitate the release from detention centres of individuals with extreme vulnerabilities. From September 2022 to July 2023, UNHCR advocated for the release of 990 individuals with extreme vulnerabilities. As previously reported, in May 2022, the Department for Combating Illegal Migration stopped responding to notes verbales from UNHCR in which it advocated for the release of detainees. From September 2022 to July 2023, UNHCR and its implementing partners conducted 573 visits to detention centres run by the Department for Combating Illegal Migration. Their access was limited to providing only life-saving assistance. With the exception of a mass release of 220 asylum-seekers from a detention facility adjacent to Ayn Zarah detention centre in July 2023, all other individuals released within the reporting period were those confirmed to be on humanitarian evacuation or resettlement flights, or with severe medical conditions. UNHCR was able to facilitate the release of a total of 274 asylum-seekers and refugees as a result of direct advocacy.

63. In August 2022, the World Food Programme conducted a food security assessment, collecting data from 5,549 respondents in Libya, including some 340 migrants or refugees. The assessment found that the proportion of food insecure households remained higher among non-Libyan households, with 24 per cent of migrants and 31 per cent of refugees considered to be food insecure. In 2022, the World Food Programme, in partnership with IOM and UNHCR, distributed food assistance to 13,577 vulnerable refugees and asylum-seekers in Zawiyah, Benghazi, Misratah, Tripoli and Zuwarah, as well as 23,699 vulnerable migrants in Qatrun, Sabha, Bani Walid, Zuwarah, Benghazi, Tripoli and Ghat. UNICEF provided screening services for 517 children (248 boys and 269 girls) and 245 mothers suffering from malnutrition and addressed their nutritional needs through the distribution of micronutrition and ready-to-use food supplements.

64. UNICEF and UNHCR increased access to child protection services, including mental health and psychosocial support services, resulting in at least 100 refugee and migrant children (40 girls and 60 boys) being referred to child protection services in the remote areas in Birak al-Shati' and Sabha.

## **VI. Observations and recommendations**

65. I am deeply concerned that in the past year, an ever-increasing number of men, women and children in search of a better life for themselves and their families drowned in the Mediterranean Sea. This tragic and unacceptable loss of life must end. Greater efforts are required from Member States, international and regional organizations and private actors to conduct search and rescue operations in the Mediterranean Sea and save lives on this dangerous route. I am also deeply concerned about the deterioration of the situation since the publication of my last report. The increase in deaths at sea, the reports of crimes against humanity and the increase in the number of forced expulsions of migrants and refugees are distressing trends that must be reversed at all costs.

66. I also remain concerned about the lack of predictable rescue capacity and the dangerous patterns witnessed in the central Mediterranean Sea over the reporting period, including the questioning of distress calls, the accompanying of refugee boats outside of search and rescue areas, the ordering of private ships to return people to Libya and the criminalizing or undue restriction of the work of non-governmental

organizations providing search and rescue assistance. I also continue to be concerned about delays in responding to distress calls and reports of dangerous and coercive measures taken by Libyan authorities during interception operations. I reiterate my call on Libyan authorities to uphold international standards related to safe search and rescue practices and to ensure that intercepted persons are disembarked at a place of safety, where their basic needs can be met.

67. All rescued intercepted persons should be assigned a safe port of disembarkation, in accordance with the law of the sea, international maritime law, international human rights law and refugee law, and as reaffirmed by the General Assembly in relevant resolutions. I urge all parties not to return rescued or intercepted persons to Libya following interception at sea in operations conducted in waters beyond the Libyan territorial sea, as Libya cannot be considered a safe port for disembarkation.

68. A credible and predictable agreement for disembarkation encompassing all member States of the European Union, based on the principles of solidarity and shared responsibility, is required and more urgent than ever. The United Nations remains ready to assist in the development of a predictable regional disembarkation and solidarity mechanism on both coasts of the Mediterranean.

69. I welcome the progress made by the Libyan authorities in operationalizing bilateral labour migration agreements with Egypt and the Niger, which will serve to create regular pathways for migration. The review of regularization options for migrants in Libya, the majority of whom contribute to the Libyan economy through their work, is a positive development.

70. I call on Libya to ratify all core human rights treaties as well as the Convention relating to the Status of Refugees and the Protocol thereto, and to lift the restriction imposed on UNHCR to only register asylum claims from nationals from nine countries. I further call on Libyan authorities to ensure that all legislation pertaining to migrants, including Act No. 6 of 1987 on regulating the entry, residence and exit of foreign nationals in Libya, as well as Act No. 19 of 2010 on combating illegal migration, are amended to fully align with international human rights obligations, protect the rights and dignity of migrants and ensure compliance with universally recognized human rights standards.

71. Trafficking in persons constitutes a violation of international human rights law. I take note of the arrests of migrant smugglers and human traffickers by Libyan authorities during the reporting period and encourage all Member States to enhance international and regional cooperation to end impunity for traffickers in persons and migrant smugglers and enhance access to protection, assistance and justice for survivors. I also call upon Member States operating in the Mediterranean Sea to place the human rights and the immediate needs of migrants and refugees at the core of their efforts to prevent and counter smuggling and trafficking.

72. Refugees and migrants are at high risk of abuse before, while and after they cross the Mediterranean Sea. The rights of refugees and migrants, including women, children and survivors of trafficking, must be upheld.

73. Stressing that arbitrary detention is prohibited under international human rights law, I call for the release of arbitrarily detained migrants and refugees in Libya, and for the development of alternative human rights-based solutions. Meanwhile, detention conditions must comply with international human rights standards to meet the basic needs of detainees, including adequate food, water and medical care. Detainees must not be subjected to violence, including sexual violence and extortion. I condemn the detention of children for reasons related to their or their parents' or guardians' legal status. Non-custodial, community-based alternative care

arrangements that are in the best interests of children must be provided. The United Nations, international non-governmental organizations, humanitarian actors and human rights monitors should be granted unimpeded access to all facilities where migrants are detained.

74. I would like to emphasize that migrants and members of their families should not be subject to collective expulsion. Returns must be carried out in accordance with the principle of non-refoulement.

75. It is imperative to ensure access to justice, accountability and redress for all survivors of human rights violations and abuses, including all migrants and refugees. Prompt and transparent investigations of incidents of excessive use of force against migrants and refugees and of reckless treatment resulting in death and injury should be conducted. Perpetrators of human rights violations and abuses against migrants and refugees, whether State or non-State actors, must be brought to justice to ensure accountability.

76. I call on all Member States along the trafficking routes that cross Libyan territory to further enhance the protection of survivors of trafficking and to prosecute individuals and other actors involved in trafficking in persons in accordance with the definitions established in applicable international instruments, including the United Nations Convention against Transnational Organized Crime and the Protocols thereto.

77. I welcome the continued efforts of the African Union-European Union-United Nations tripartite task force on the situation of migrants and refugees in Libya and its call on Libyan authorities to set up non-discriminatory legal and policy frameworks for migrants and refugees, on the basis of international human rights standards. I also welcome the offer extended by the tripartite task force to Libyan authorities to ensure practical alternatives to detention, such as release into the community or accommodation in migrant response centres. I look forward to the outcomes of the technical- and operational-level mission to Libya in August 2023.

78. Migration is as old as humanity. A holistic approach to address the root causes of irregular migration and flight through enhanced cooperation and solidarity is more urgent than ever. Regional cooperation and solutions, as well as national efforts, must place human rights and the dignity of migrants and refugees front and centre. The international community should ensure that any bilateral and multilateral assistance provided in this regard has the best interest of migrants and refugees at heart. Mechanisms should be put into place to monitor the use of assistance.

79. It is critical to expand safe, orderly and regular pathways for migration and make them more accessible. In order to share responsibilities with Libya, the international community should offer more resettlement opportunities and humanitarian evacuations of refugees from Libya. The number of humanitarian visas and other safe and regular pathways for refugees and migrants in vulnerable situations should be increased to address the protection needs of those who fall outside the legal protections of international refugee law but are nevertheless entitled to protection under international human rights law.

80. Access to asylum is a fundamental human right. I call on all parties to uphold this right and I encourage all parties to implement the objectives of the Global Compact for Safe, Orderly and Regular Migration, the Progress Declaration of the International Migration Review Forum and the global compact on refugees, which offer valuable guidance in that regard.