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Implementation of Security Council resolution 2698 (2023)

Report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 2698 (2023), in which the Council renewed the authorizations as set out in paragraphs 7 to 10 of resolution 2240 (2015) and requested the Secretary-General to report on the implementation of resolution 2698 (2023) 11 months after its adoption, 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 2023 until 10 August 2024. 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. During the reporting period, fragile security, political, socioeconomic and climatic conditions led to significant migratory flows within Africa, as well as departures to Europe. The central Mediterranean route remained not only the most active but also the deadliest migration route to Europe, with thousands losing their lives on the journey. The overall number of migrants and refugees crossing, dying and going missing in the Mediterranean, however, decreased compared with the previous reporting period. The International Organization for Migration (IOM) and the Office of the United Nations High Commissioner for Refugees (UNHCR) estimated that 1,920 persons died or went missing in the Mediterranean from 1 September 2023 to 10 August 2024, representing a 42.6 per cent decrease compared with the previous reporting period, during which at least 3,345 people died or went missing. It is estimated that, of the 1,920 people who lost their lives or went missing, 1,362 died or went missing along the central Mediterranean route alone. IOM and UNHCR documented that at least 371 migrants and refugees perished or went missing along the western Mediterranean route (compared with 442 in the previous reporting period) and 179 along the eastern Mediterranean route (compared with 361 in the previous reporting period).



4. Examples of this continued loss of life include a vessel capsizing off the coast of Libya on 16 December 2023, resulting in the death of 61 migrants who had embarked from Zuwarah on the western coast of Libya. In addition, on 16 June 2024, two boats sank near the coast of Lampedusa, which resulted in 11 confirmed deaths and 60 migrants still missing. According to IOM, it is likely that more people drowned along the central Mediterranean route owing to “invisible shipwrecks”, in which the final whereabouts of boats transporting refugees and migrants could not be established. IOM documented the recovery of 196 human remains that could not be linked to any known shipwrecks, from 30 August 2023 to 19 July 2024.

5. According to IOM and UNHCR, some 165,462 people arrived in Europe along the three main sea routes across the Mediterranean from 1 September 2023 to 10 August 2024, representing a 21 per cent decrease compared with the previous reporting period. The central Mediterranean route accounted for approximately 77,981 refugees and migrants arriving by sea to Italy and Malta, representing a 45 per cent decrease in arrivals by sea compared with the previous reporting period (133,514). From 1 September 2023 to 30 June 2024, most had departed from Libya (47 per cent) and Tunisia (48 per cent), with smaller numbers departing from Algeria and Türkiye.

6. During the reporting period, more than 32,295 migrants and refugees (82 per cent men, 4 per cent women and 14 per cent children) reached Italy from Libya, compared with 57,529 during the previous reporting year. Tunisia remained the main country from which migrants irregularly departed for Italy, with 33,042 arrivals in Italy from Tunisia compared with 32,295 arrivals from Libya from 1 September 2023 to 30 June 2024. However, from 1 January to 30 June 2024, more individuals departed from Libya (14,582) compared with Tunisia (10,233), suggesting a reversal of this trend.

7. Although the United Nations continued to lack full access to embarkation points in the east of Libya, data obtained from countries of destination suggest that migrants and refugees departed from eastern Libya in small numbers. The previous trend of departures from eastern Libya in large vessels had shifted to western Libya by September 2023.

8. During the reporting period, smaller wooden and rubber boats were also used for departures from the western part of the country. The western shoreline between Zuwarah and Misratah remained the main departure point for migrants and refugees from Libya. Migrants surveyed by IOM in Italy to date in 2024 mentioned Sabratah (31 per cent), Zuwarah (20 per cent), Zawiyah (15 per cent), Tajura’ (16 per cent) and Sirte (11 per cent) as the main departure centres. The most common nationalities of migrants departing from Libya in 2024 to date were Bangladeshi, Egyptian, Eritrean, Pakistani and Syrian.

Interception operations and search and rescue at sea

9. The European Union Naval Force Operation IRINI (Operation IRINI) reported that 50,294 migrants were rescued or intercepted in 1,122 operations by different assets¹ in its area of operations in the Mediterranean from 31 August 2023 to 10 August 2024. Of these, from 31 August 2023 to 15 June 2024, 152 operations were conducted by Libyan entities, mainly, according to IOM and UNHCR, the Libyan Coast Guard (91 per cent) and the General Administration for Coastal Security (4 per cent). The remaining operations (5 per cent) were conducted by other maritime authorities and fishing boats.

¹ Non-governmental organization (NGO), European countries’ coast guard and merchant vessels, under the coordination of competent rescue coordination centres.

10. According to the United Nations Support Mission in Libya (UNSMIL) and the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Tariq bin Ziyad Special Forces Brigade and the “Libyan Navy”, both affiliated with the Libyan National Army in the east, maintained a presence across all areas extending from Sirte to Tubruq and continued to be engaged in sea and land interception operations. Other Libyan armed actors, including the Stability Support Apparatus, also continued to conduct interception operations.

11. Boats with refugees and migrants also continued to be intercepted and returned to Libya from areas beyond the country’s territorial waters and contiguous zone. According to the United Nations, during the reporting period, at least six boats (carrying approximately 395 individuals) were intercepted by Libyan actors within the Maltese search and rescue region, including two boats intercepted by the Tariq bin Ziyad Brigade, three boats intercepted by the Libyan Coast Guard and one boat whose passengers were transferred to Libya by at least three merchant vessels.

12. UNHCR also reported that, from September 2023 to 10 August 2024, 847 people who had departed from Libya were disembarked in Tunisia after having been rescued or intercepted at sea by Tunisian authorities. IOM reported that, since 30 August 2023, at the request of relevant authorities, it had assisted 184 migrants rescued by the Tunisian National Guard across five operations and brought to the point of disembarkation.

13. In February 2024, several non-governmental organizations (NGOs) issued a joint statement expressing concern over the risk of deaths in the central Mediterranean owing to their search and rescue operations at sea being hindered and the actions of private rescue ships being obstructed.² According to the statement, the application of a 2023 law by Italian authorities affects the capacity to carry out search and rescue activities at sea as it stipulates, among other rules, that NGO rescue ships should head immediately to designated ports following a rescue, potentially forcing them to ignore other boats in distress in the area.

Returns to Libya

14. According to IOM and UNHCR, at least 19,517 refugees and migrants (of whom 76 per cent were men, 7 per cent women, 5 per cent children and 12 per cent unknown) were rescued or intercepted and returned by Libyan authorities to Libya from September 2023 to August 2024, representing a decrease of 2.7 per cent compared with the previous reporting period, when more than 20,078 refugees and migrants were returned by Libyan authorities to Libya.

15. During the reporting period, according to several United Nations entities, Libya remained unsafe for the disembarkation of migrants and refugees intercepted or rescued at sea. Based on interviews with survivors, IOM, OHCHR, UNHCR and UNSMIL indicated that, once intercepted and returned, migrants and refugees were transferred to official detention centres and unofficial detention facilities, where they faced a high risk of exploitation and other situations of vulnerability, including risks of death, disappearance, arbitrary detention, torture, ill-treatment, gender-based violence, trafficking, excessive use of force and other human rights violations and abuses by both State and non-State actors.³

² <https://en.emergency.it/press-releases/joint-statement-italys-obstruction-of-search-and-rescue-activities-is-endangering-peoples-lives/>.

³ United Nations entities, including UNSMIL, OHCHR, IOM and UNHCR, gathered and verified information through interviews with released individuals and survivors, family members, lawyers, human rights and migrants’ organizations and open-source information, including media.

B. Methods of migrant smugglers and traffickers in persons

16. State or quasi-State affiliated actors in Libya continued to be implicated in the trafficking, smuggling, detention and extortion of migrants. These actors reportedly transferred intercepted migrants to unofficial detention facilities, where they were extorted for ransom and, if released, were at risk of re-trafficking. In Zawiyah, specifically, the Libyan Coast Guard was involved in the transfer of migrants to detention centres managed by the Department for Combating Illegal Migration under the Ministry of Interior of the Government of National Unity.⁴ UNSMIL and OHCHR received reports that female migrants held at the Zawiyah detention centre were then transferred to unofficial detention facilities, where they were reportedly extorted and permitted to communicate with their families only to solicit money for their release.

17. A similar situation was observed at the Zawiyah refinery disembarkation point. Without coordinating with official search and rescue entities, the Stability Support Apparatus, currently operating under the name “General Administration for Coastal Security”, was reportedly involved in the interception and transfer of migrants to “Osama prison”, an unofficial detention facility in Zawiyah, where hundreds of migrants, including children and women, have reportedly been detained for lengthy periods and subjected to extortion. Migrants were reportedly also hired out for forced labour, sold to other centres or smugglers, or released against payments.

18. UNSMIL and OHCHR received unverified reports indicating that migrants, asylum-seekers and refugees were forced to walk through remote desert areas, placed into cars and taken to different locations with no explanation and indication of the destination. UNSMIL and OHCHR also received reports of sexual violence in the context of human smuggling, trafficking and deprivation of liberty from survivors and witnesses. While it was challenging to verify individual reported incidents, UNSMIL confirmed a consistent pattern of reports of sexual violence, slavery and exploitation targeting people on the move across Libya.

19. On 18 March 2024, the Criminal Investigation Department discovered a mass grave near Sabha, in Shuwayrif, in south-west Libya. The grave contained 65 bodies, believed to be those of migrants. IOM reported that these deaths occurred during a smuggling operation through the desert. According to unconfirmed media reports, authorities had started an investigation into the deaths, including taking DNA samples for identification purposes.

20. The relevant public authorities, including the Ministry of Justice and the Ministry of Interior, did not respond to requests from United Nations entities seeking to obtain information on the issue of missing migrants. UNSMIL and OHCHR communicated with officials from the Judicial Expertise and Research Centre of the Ministry of Justice and the General Authority for the Search for and Identification of Missing Persons to verify the information and clarify the circumstances surrounding the deaths in the mass graves in Shuwayrif and other suspected areas in March and July 2024, respectively. As at 10 August, authorities had not responded to the request.

21. Overall, State-affiliated actors involved in trafficking and smuggling continued to enjoy impunity. According to verified information received by UNSMIL and OHCHR, several individuals arrested and charged with offences related to trafficking were able to avoid trial or escape from detention. IOM, UNHCR, the United Nations Children’s Fund (UNICEF) and UNSMIL continued to communicate with communities along key routes to increase awareness of the risks associated with

⁴ See <https://www.smallarmssurvey.org/sites/default/files/resources/SAS-SANA-Report-2024-Zawiya-EN.pdf>.

irregularly migrating through smugglers and to advise people on how to access protection and assistance in their countries of origin and transit along routes.

22. The Libyan maritime domain also continued to be characterized by security, governance and law enforcement challenges, allowing for the smuggling of migrants and human trafficking. The continued lack of a unified maritime and port governance structure and the involvement of multiple actors complicated efforts to enforce maritime law effectively. The capacity of the Libyan criminal justice system to pursue legal proceedings, including regarding maritime crimes, remained limited, with concerns over a lack of due process.

C. Situation in Libya for refugees and migrants

23. As at May 2024, IOM reported a total of 725,304 migrants and refugees from 44 nationalities present in Libya.⁵ Nearly 8 in 10 migrants (78 per cent) were reported to be nationals from neighbouring countries, including the Niger (25 per cent), Egypt (22 per cent), the Sudan (20 per cent) and Chad (11 per cent) and, to a lesser extent, Tunisia (1 per cent). Most migrants identified by IOM were from sub-Saharan Africa (48 per cent) or North Africa (44 per cent), while a minority were from the Middle East (4 per cent) or Asia (4 per cent). The largest migrant populations were in the coastal regions of Tripoli (16 per cent), Benghazi (11 per cent), Misratah (11 per cent), Ajdabiya (7 per cent), Marqab (7 per cent) and Zawiyah (7 per cent).

24. Most migrants and refugees surveyed by IOM cited economic reasons as the main driver of migration (85 per cent). This held true regardless of sex, age group or region of origin (except in the case of those from the Middle East, for whom security issues in the country of origin was the main reason). Among the main factors cited were insufficient income (49 per cent) and lack of job opportunities in the country of origin (19 per cent) as well as the search for employment options in Libya (16 per cent). A total of 38 per cent of the migrants interviewed by IOM indicated that they intended to stay in Libya, 14 per cent declared their interest in returning to their home country, and 7 per cent were interested in migrating to another country from Libya. Forty-one per cent reported having no specific intention.

25. Most migrants and refugees did not possess travel documents. Interviews conducted by IOM with 4,381 individual migrants from November 2023 to January 2024 suggested a strong link between lacking travel documents (e.g. work permit, passport) and an increased level of vulnerability.⁶ Lacking travel documents entailed increased reliance on smugglers and limited access to protection mechanisms and safety nets, including the ability to access consular services. Migrants without travel documents were more likely to face financial and safety issues, food insecurity and a lack of drinking water, as well as greater difficulty accessing essential services, such as health care, education and employment opportunities.

26. Interviews conducted by IOM with 3,418 migrants and refugees from September to October 2023 also highlighted a strong link between climate change in countries of origin and migration push factors along the Central Mediterranean route.⁷ IOM found that climate-related events were indirect migration drivers, often through their

⁵ The number of migrants in Libya has continued to increase slightly (+1 per cent) compared with the previous round of data collection in line with a trend that started in December 2023.

⁶ IOM Displacement Tracking Matrix (https://dtm.iom.int/sites/g/files/tmzbd11461/files/reports/DTM-Libya_travel-documents-study_30-04-2024.pdf).

⁷ <https://dtm.iom.int/reports/aftershock-assessment-how-climate-change-influencing-migration-and-vulnerability-libya?close=true>.

impact on local economies and workers, in particular those reliant on agriculture.⁸ A quarter of migrants interviewed in Libya had experienced at least one climatic shock or stressor in the year prior to migrating to Libya, and 56 per cent estimated that this shock had had a severe impact on their well-being, for example on their food security and income levels. The most commonly cited shocks were heatwaves (or an increased number of hot days) (21 per cent), cold waves or frost (14 per cent) and droughts (13 per cent). Overall, 2 in 5 migrants (40 per cent) reported having suffered from a lack of income-generating opportunities owing to climate-related shock(s) in their country of origin prior to migrating to Libya. Migrants who had endured a climatic shock in the year prior to migrating to Libya had a higher level of debt and fared worse in Libya, facing financial difficulties, safety issues, food insecurity, a lack of drinking water and limited or no access to health care.

27. As at 10 August, 66,685 refugees were registered with UNHCR in Libya. Of these, 41,377 were men, and 25,309 were women. They include 24,211 children (13,146 boys and 11,066 girls) and 1,233 elderly persons. Of the nine nationalities that UNHCR is authorized by the Libyan authorities to register, Sudanese and Syrian nationals continued to account for the largest groups, followed by Eritreans and Ethiopians.

28. Restrictions on direct access by UNHCR to disembarkation points in Tripoli imposed since June 2022 continued, with interventions undertaken by the UNHCR implementing partner: the International Rescue Committee. Lack of unhindered, meaningful and regular access by United Nations agencies to detention facilities further hampered their ability to provide life-saving humanitarian and protection assistance to migrants, refugees and asylum-seekers.

29. Refugees and migrants in Libya continued to be detained arbitrarily in official and unofficial detention centres by State-affiliated actors. As at 10 August 2024, UNHCR and IOM recorded that 14 official detention centres for refugees and migrants out of 30 operating in Libya under the control of the Department for Combating Illegal Migration were active. Four of them operated in the Greater Tripoli district, including Tariq al-Sikkah, Tariq al-Matar, Ayn Zarah and Abu Salim. The Department for Combating Illegal Migration categorized each detention centre by the reason for detention and/or the gender and age composition of detainees. For instance, Tariq al-Sikkah accommodates irregular migrants who are in the process of voluntary repatriation, as well as refugees and migrants who are either under investigation or the subject of deportation proceedings by the Attorney General's Office. Both Ayn Zarah and Tariq al-Matar detention centres accommodate men and unaccompanied boys, while Abu Salim is the only detention centre to accommodate women, unaccompanied girls and children under 4 years of age accompanied by their mothers.

30. As at 10 August 2024, more than 5,048 people, of whom 786 were in need of international protection, were detained in official detention centres. An additional estimated 3,500 people were reportedly held in unofficial detention facilities in Tripoli (at Mabani and Tajura') and the north-west of Libya (at Al Nasr, Bi'r al-Ghanam/Wadi al-Hayat, Nalut and Zawiyah). As at 10 August 2024, approximately 7 per cent of the detained persons were women. According to IOM and UNHCR, as at 10 August 2024, an estimated 99 children (49 boys and 50 girls) were arbitrarily

⁸ Among migrants who reported experiencing a shock in the year prior to migrating (29 per cent of respondents, surveyed in January and February 2024), the most common shocks were economic (e.g. high food prices and low or decreased agricultural production), idiosyncratic (e.g. unemployment) and political (e.g. armed conflict, violence and displacement) – many of which indirectly relate to climate change. Overall, 1 per cent of migrants identified slow-onset environmental degradation (e.g. droughts, changing rainfall patterns) or sudden disasters (e.g. floods, earthquakes) as a primary migration driver.

detained⁹ in the 14 detention centres under the control of the Department for Combating Illegal Migration. Thousands more were reportedly detained by the Stability Support Apparatus in three known unofficial detention facilities (Mayah, Zahrah and Nasr), to which United Nations entities do not have access.

31. According to UNSMIL, migrants and refugees detained in Libya continued to be subject to prolonged detention, 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.

32. Several United Nations entities observed that refugees and migrants in Libya were routinely at risk of arbitrary or collective expulsion from Libya, without an assessment of their individual rights, including access to legal assistance to challenge the legality of their return, and of their circumstances and eligibility for asylum. 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. In addition, the expulsions often placed migrants and refugees in extremely vulnerable situations, including long and perilous return journeys, with refugees and migrants forced to travel in overcrowded vehicles across remote stretches of the Sahara Desert, without adequate safety equipment, food, water or medical care.

33. IOM and UNHCR estimated that, from 1 September 2023 to 10 August 2024, 5,980 migrants and refugees were expelled or refouled from Libya, including migrants and refugees from Egypt (73 per cent), Chad (3.5 per cent), Bangladesh (1.0 per cent), the Sudan (0.3 per cent) and the Syrian Arab Republic (0.4 per cent), and the remaining 21.8 per cent is divided between Indian, Jordanian, Tunisian and unknown other nationalities. In June 2024, hundreds of migrants were expelled via al-Tum Border Crossing Point to the Niger by Libyan National Army-affiliated security agencies. Hundreds of migrants were also expelled from Kufrah to Chad and the Sudan in June and July 2024. Overall, expulsions in the reporting period (5,278) were significantly lower than in the previous reporting period (15,695), possibly owing to a reduction in expulsions to the Sudan, where violent conflict continued between the Sudanese Armed Forces and the Rapid Support Forces.

34. The situation of migrants and refugees in the western and southern border regions of Libya remained particularly dire. At the western border with Tunisia, the expulsion as well as the interception and pushback of migrants from Tunisia to Libya continued to be reported. Since June 2023, when the expulsions began, and up to 10 August 2024, a total of 11,155 migrants and persons in need of international protection had been intercepted at the border with Tunisia by the Ministry of Interior of Libya, the Ministry of Defence of Libya, the Libyan Border Guard, customs officials and the Department for Combating Illegal Migration. During attempted visits by IOM and UNHCR, the Ministry of Interior of Libya and Border Guard reported “hosting” a total of 405 (385 male, 17 female and 3 children) migrants and persons in need of international protection in Assah detention facility, located near the Libya-Tunisia border. All individuals were held in the two main hangars, located at a 1 km distance from the Libyan Border Guard headquarters. The situation at the hangars was reportedly characterized by overcrowding, a lack of proper hygiene and ventilation, a lack of privacy, family separations, delays in the provision of medical assistance, a lack of nutritious food and reports of systemic violence and abuse. Detained migrants had no established pathway for release.

⁹ Displacement Tracking Matrix Libya Detention Centre Profile Generator, June 2024.

35. In interviews with UNSMIL and OHCHR at the Assah detention facility, male detainees of Syrian and Palestinian descent recounted being subjected to torture and ill-treatment, including beatings with metal bars and electric wires. A former detainee reported witnessing the deaths of two detainees: a Sudanese man who was burned to death by a Libyan Border Guard official responsible for the hangars where sub-Saharan Africans were detained, and another detainee who was shot in the head by a border guard for unknown reasons. The two deaths were also reported by others detained during the same period in late September 2023.

36. In the Bi'r al-Ghanam and Assah detention facilities, UNSMIL and OHCHR verified cases of torture and ill-treatment, extrajudicial killings, human trafficking, forced labour, extortion and other forms of violations. UNSMIL and OHCHR also received reports of sexual and gender-based violence, which could not be independently corroborated. Detainees, who endured extreme temperatures and routinely lacked access to food, water, sanitation and health care, were reportedly coerced by prison guards to pay varying amounts for their release, according to their nationality and other factors. To coerce payment, many were subjected to prolonged periods of arbitrary detention, solitary confinement and other forms of torture and ill-treatment, including threats of execution.

37. According to IOM and UNHCR, the Ministry of Interior of Libya and the Border Guard reported increased expulsions from Algeria into Libya near Ghadamis, with 450 individuals intercepted from April to 10 August 2024, believed to be held in official detention centres and unofficial detention facilities to which the United Nations was not afforded access. The Ministry and Border Guard also reported “hosting” a total of 40 migrants and persons in need of international protection in Ghadamis (30 male and 10 female).

38. As at 10 August 2024, UNHCR reported a total of 42,441 registered Sudanese nationals throughout Libya, of whom 23,276 had self-reported having fled the Sudan on or after 15 April 2023. Most Sudanese and third-country nationals entered Libya through Kufrah, where resources are severely overstretched, and access to basic services is limited. A joint UNSMIL and United Nations country team field mission to Kufrah led by the Deputy Special Representative of the Secretary-General, Resident and Humanitarian Coordinator in July 2024 highlighted the area’s severe public health, water and sanitation and shelter needs. A nutritional screening conducted at Kufrah in June 2024, targeting more than 400 children under the age of 5 and more than 400 pregnant and lactating women, revealed a high prevalence of malnutrition, including a 33 per cent global acute malnutrition rate, a 15 per cent severe acute malnutrition rate¹⁰ in children, a 30 per cent stunting rate and a 6 per cent prevalence of malnutrition in pregnant and lactating women. In terms of access to education, the situation for Sudanese refugee children in Kufrah was alarming, with 90 per cent out of school. Classrooms were overcrowded, with an average of 47 pupils per classroom.

39. UNICEF reported a marked increase in the number of Sudanese refugee children and their parents or caregivers accessing services at the Baity centres in Libya, which provide multisectoral services including child protection and education to children and families in need of support. From January to the end of July 2024, there was a 538 per cent increase in the number of Sudanese refugees and migrants seeking support in Baity centres compared with the second half of 2023. Initially, these centres saw rising demand in services in Kufrah and urban centres, including Tripoli and Benghazi, while more recent increases were observed in Ajdabiya, Misratah and Sabha. As the end July 2024, children from the Sudan constituted 40 per cent of total

¹⁰ Global acute malnutrition is the prevalence, or proportion, of children aged 6 to 59 months in a given population considered severely acutely malnourished or moderately acutely malnourished.

beneficiaries across all Baity centres in Libya. Case management data highlight a significant increase in children experiencing physical and emotional abuse, as well as exposure to traumatic incidents including bereavement, displacement and separation. Most children lacked documentation, information on school enrolment processes and financial means, increasing barriers to accessing education.

40. On 5 June 2024, hundreds of men, women and children from Chad, Ethiopia, Eritrea, Nigeria, Somalia, South Sudan and the Sudan sheltering in a makeshift site in Tripoli were rounded up in a mass arrest operation reportedly conducted by seven Libyan security agencies, including the Security Directorate of Janzur. Reports indicate that people's tents were destroyed and security actors fired gunshots at people running away. Men, women and children were separated from their families. Unverified reports indicated harassment, including inappropriate touching of women. People arrested were transported in buses to the Mabani "Tobacco Factory", where approximately 300 men, women and children were separated again. Reports indicate that some people were transported to the Abu Salim detention centre (women and children), while others (mostly men) were transported to the Ayn Zarah detention centre. Their situation remained unknown at the time of reporting.

41. On 20 May, the Ministry of Interior of the Government of National Unity announced that the Acting Minister of Interior and the Minister of Labour had agreed on a proposal to facilitate the regularization of expatriate workers within the Libyan labour market to be referred to the Prime Minister for approval. Another reported announcement in June 2024 by the Minister of Labour on the adoption of a *kafalah* or private sponsorship system for foreign workers in Libya¹¹ raised questions regarding its compliance with the country's international human rights obligations. Adoption of a *kafalah* system as a framework for regularizing migrant workers carries risks of exposing them to violations and abuses, including forced labour or unpaid labour, blackmail, extortion and restrictions on freedom of movement.

III. Measures to counter smuggling and trafficking in persons off the coast of Libya and related efforts

42. Within the reporting period, State-affiliated security forces conducted raid operations against smuggling camps across the country. The 444 Brigade conducted operations in the central region of Bani Walid and in the far west region of Ujaylat. The Tariq bin Ziyad and Subul al-Salam brigades, both under the Libyan National Army, conducted operations against traffickers in the south-eastern region of Kufrah and the south-west regions of Shuwayrif and Birak al-Shati' in June 2024. Some of the individuals rescued from these trafficking camps had been detained for months and had suffered beatings and extortion by smugglers. After being freed from these unofficial detention facilities, individuals were transferred to official detention centres in Kufrah, Sabha and Birak al-Shati', where they remained under strict surveillance and control by security forces.

43. 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.

44. The mandate of Operation IRINI includes the secondary task of contributing to the disruption of human smuggling and trafficking networks in the assigned area of operations. During the reporting period, according to Operation IRINI, this task was carried out mainly from the air, and mostly in the western part of the area of

¹¹ See <https://theArabweekly.com/libya-establish-foreign-worker-sponsorship-system>.

operations. From 31 August 2023 to 10 August 2024, 507 flights (more than 2,107 hours and 58 minutes of flight hours) were conducted under the Operation, of which 97 (more than 449 hours and 29 minutes of flight hours) were conducted in support of this task.

45. Data on the human smuggling of migrants and trafficking off the coast of Libya were collected, stored and shared by Operation IRINI, in collaboration 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 the European Border and Coast Guard Agency (Frontex), *inter alia*.

46. During the reporting period, the European Union and countries of origin, transit and destination renewed or established partnerships with a number of northern African countries, including Libya, on international migration governance. On 28 and 29 January, the Italy-Africa Summit, held in Rome, included discussions on cooperation on migration management. On 2 May 2024, the Interior Ministers of Algeria, Italy, Libya and Tunisia met in Rome to discuss greater cooperation in reducing irregular migration. This meeting was preceded by a summit, on 22 April in Tunis, of the Presidents of Algeria and Tunisia and the President of the Presidential Council of Libya to inaugurate a new tripartite mechanism to address shared priorities, including migration. In the official statement following the summit, the three leaders committed to unifying their countries' positions in dealing with countries concerned with irregular migration in the Mediterranean and sub-Saharan countries.¹²

47. Separately, on 10 April 2024, the European Parliament ratified the new pact on migration and asylum, the culmination of a process that began in 2015 when an unprecedented 1.3 million refugees and migrants entered Europe from North Africa. The pact emphasizes coordination with northern African countries, including Libya, in particular on preventing irregular departures and fighting trafficking in persons and migrant smuggling.

48. On 17 July, the Government of National Unity convened the Trans-Mediterranean Migration Forum in Tripoli. Participants included: the President of Chad; the Prime Ministers of Italy, Malta and Tunisia; and the European Commission Vice-President for Promoting our European Way of Life, as well as representatives from other States. The leaders of Chad, Italy and Libya stressed the need to address drivers of migration in countries of origin. UNSMIL welcomed the meeting as an opportunity for Libya to move towards adopting a rights-based approach to migration governance.

IV. Support for Libya and related efforts to combat smuggling and trafficking in persons

49. The United Nations country team in Libya and UNSMIL continued to collaborate in support of the country's efforts to combat smuggling and trafficking in persons through their work under the United Nations Sustainable Development Cooperation Framework. The United Nations Office of Drugs and Crime (UNODC) continued to provide technical assistance to Libya under 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 the Smuggling of Migrants by Land, Sea and Air.

¹² See <https://allafrica.com/stories/202404230117.html>.

50. UNODC provided training and equipment to Libyan authorities mandated to dismantle criminal networks and protect migrants; facilitated cooperation in criminal justice matters between Libya and countries of origin, transit and destination of migrants; and supported the establishment of a maritime rescue coordination centre and a joint maritime operations chamber to address all forms of transnational organized crime at sea, including trafficking in persons and smuggling of migrants, in line with human rights principles.

51. IOM provided technical and in-kind assistance to Libya on border management, countering human trafficking and migrant smuggling, search and rescue at sea and in the desert and enhancing regular migration pathways. IOM also continued to conduct awareness-raising campaigns about the risks that irregular migration poses to migrants and refugees and to support migrants and refugees in official detention centres through humanitarian and protection interventions, including 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.

52. During the reporting period, IOM facilitated the voluntary humanitarian return of 11,946 migrants (8,429 men, 2,149 women, 686 boys and 682 girls), of whom 5,224 (43.73 per cent) had been detained in detention centres. Voluntary humanitarian return continued to represent a life-saving option for many migrants. All migrants were offered support through exit visas, medical checks, vulnerability screenings, pre-embarkation assistance and reintegration assistance upon return to their countries of origin.

53. From September 2023 to August 2024, UNHCR advocated for the release of 478 individuals with extreme vulnerabilities from detention centres. With targeted advocacy, UNHCR released 253 people with possible international protection needs to urban areas. From September 2023 to August 2024, UNHCR and its implementing partners conducted 267 visits to detention centres run by the Department for Combating Illegal Migration. The access levels for UNHCR varied from full to partial to no access, depending on the management of the detention centres. UNHCR was granted full access to Ayn Zarah and Tariq al-Sikkah detention centres, allowing it to reach all persons possibly in need of international protection and to collect their biodata. UNHCR had partial access in Tariq al-Matar and Abu Salim detention centres, where assistance was limited to the provision of non-food items and health services through partners. UNHCR had no access to detention centres in eastern Libya.

54. In September 2023, UNHCR launched the provision of call services within detention centres managed by the Department for Combating Illegal Migration, to facilitate communication between refugees and asylum-seekers of the nine nationalities that UNHCR can register in Libya and their families in their respective countries of origin to inform them of their whereabouts and condition. The project is aimed at improving the psychological well-being of detainees and increasing resilience, especially among the most vulnerable and those who have experienced prolonged detention. During the reporting period, 143 refugees and asylum-seekers benefited from this service and were able to contact their families in their countries of origin.

55. In a significant effort to improve access to safe water and uphold basic hygiene practices, UNICEF supported the installation of water tanks and distributed hygiene kits, thereby preventing the spread of communicable diseases within the detention centres. UNICEF supported the installation of a collapsible water tank at Qanfudah detention centre and added five water tanks at the Assah facility, increasing the water storage capacity by 20,000 litres. UNICEF also delivered two 20,000-litre water tanks to the Libyan Border Guard at Kufrah, to be associated with mobile clinics at points of entry benefiting 1,800 migrants. In addition, 3,000 family hygiene kits, each designed to meet the needs of up to five individuals for one month, were distributed,

benefiting approximately 15,000 migrants and refugees in Kufrah, Abu Salim detention centre and the Libyan Border Guard-managed Assah facility. UNICEF also provided a diesel generator to ensure the ongoing life-saving provision of water in one of the most remote and densely populated detention centres in the east, where water supply is frequently jeopardized owing to the absence of a reliable energy source for water extraction.

56. Since August 2023, through its child protection and education programming, UNICEF and its partners were able to reach 20,389 migrant and refugee children and their caregivers with education, child protection services and community-based mental health and psychosocial support as at the end of July 2024. From August 2023 to the end of July 2024, UNICEF supported more than 3,042 out-of-school migrant and refugee children through Baity centres, providing them access to formal and nonformal education, including life skills training, and remedial classes.

V. Observations and recommendations

57. While the overall number of arrivals to Europe across the Mediterranean from northern Africa has decreased since the previous reporting period, the central Mediterranean route remains deadly. Far too many people lost their lives or went missing in the Mediterranean. A credible and predictable agreement for disembarkation encompassing all European Union member States, based on the principles of solidarity and shared responsibility, is more urgent than ever. The United Nations remains ready to assist in developing a predictable regional disembarkation and solidarity mechanism on both coasts of the Mediterranean.

58. Refugees and migrants are at high risk of abuse before, while and after they cross the Mediterranean Sea. The human rights of refugees and migrants, including women, and the protection of children and survivors of trafficking from violence, especially sexual violence, must be upheld throughout their journey. It is imperative that prompt and effective assistance is provided to all migrants and refugees in distress at sea, including through adequate State-led maritime patrols and by supporting search and rescue operations by private commercial or humanitarian vessels, allowing swift disembarkation at a port of safety. Search and rescue operations are critical to saving lives at sea and must not be obstructed or disincentivized.

59. I urge all concerned parties not to return intercepted persons to Libya following interception at sea beyond Libyan territorial waters. Libya cannot be considered a safe port for disembarkation. I welcome efforts to improve maritime rescue coordination and to ensure that operations are conducted in full accordance with human rights principles.

60. Trafficking in persons constitutes a violation of international human rights law. I call upon all Member States to enhance cooperation to end impunity for traffickers in persons and migrant smugglers and improve access to protection, assistance and justice for survivors. I urge Libya to adopt 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 the Smuggling of Migrants by Land, Sea and Air.

61. The situation of migrants, refugees and asylum-seekers in Libya, who are among the most vulnerable groups, remains extremely dire. I call upon Libyan authorities to adopt a comprehensive legal and policy framework on migrants and refugees in line with the country's international human rights obligations. This includes finding

alternatives to detention of children and victims of trafficking, expanding safe and regular migration pathways, regularizing migrant labour through schemes that uphold their rights and implementing rights-compliant border management. 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.

62. I also reiterate my call for the release of arbitrarily detained migrants, refugees and asylum-seekers, whether by State-affiliated or non-State entities, the development of human rights-based alternatives to detention and an end to their subjection to extortion, forced labour, torture and other forms of ill-treatment. I urge all entities concerned to proceed with the immediate release of the most vulnerable, especially women and children, to be accommodated in urban areas among host communities. I especially condemn the detention of children for reasons related to their legal status or that of their parents or guardians, which is never in their best interest. Non-custodial, community-based alternative care arrangements in children's best interests must be provided.

63. It is imperative to ensure access to justice, accountability and redress for all victims of human rights violations and abuses, including among 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.

64. I urge all parties to cooperate internationally to ensure the recovery, identification, safe transfer and burial of deceased migrants and to notify their families safely and appropriately. Full access to investigations into mass graves must be afforded.

65. Forced expulsions and the refoulement of migrants and asylum-seekers from and to Libya must end. The expulsion of migrants and asylum-seekers without due process and procedural guarantees contravenes international human rights law.

66. Access to asylum is a fundamental human right. I call upon all parties to uphold this right at all times and afford those in need of international protection the protection that they deserve. I further encourage all Member States concerned 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.

67. Finally, I recommend that all Member States enhance and diversify the availability of safe, orderly and regular pathways for admission and stay based on international human rights protection standards, compassion, humanitarian and other considerations. To share responsibilities with Libya, the international community should also offer more resettlement opportunities, as well as greater access to humanitarian corridors and evacuations for refugees and migrants in vulnerable situations in Libya. The number of humanitarian visas and other safe and regular pathways for 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. States should also consider efforts to regularize those in an irregular status.