



Council of the European Union
General Secretariat

Brussels, 27 October 2023

WK 14008/2023 INIT

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NOTE

From:	Presidency
To:	Delegations
Subject:	Stakeholder mapping on migration in Libya – a contribution from EUDEL Libya

STAKEHOLDER MAPPING ON MIGRATION IN LIBYA

1. DIRECTORATE FOR COMBATTING ILLEGAL MIGRATION (DCIM)

DCIM is the key institution formally mandated with handling irregular migration in Libya. It is a directorate under Ministry of Interior headed by Mohamed Al-Khoja, who has been a key figure in DCIM for several years due to his family's control of the Tariq Al-Sikka area in Tripoli.

Currently, DCIM nominally oversees 26 detention centres, however, only five DCs in the west and five DCs in the east are active. Despite increased recent cooperation on training of officers, the DCIM is split between the East and West and this arrangement seems to work well for all parties. The number of DCIM officials is not clear, but assessed to be around 10.000.

Particularly for the western branch, the DCIM can be described as a hybrid system: it operates under both central government authority and under separate armed groups that provide security. While there is a leadership of the DCIM, most DCs are allegiant first and foremost to each their armed group creating a coordinated yet fragmented patchwork of detention facilities in Libya. The relationship between the DCIM leadership and the DCs is thus highly transactional.

EU is funding several international actors' humanitarian interventions inside DCIM-run facilities, notably IOM's distribution of NFIs, medical assistance and light rehabilitation of WASH facilities. DCIM also participates in relevant training facilitated by IOM. Finally, DCIM is involved in the coordination of Voluntary Humanitarian Returns and evacuation flights carrying migrants out of Libya.

2. LIBYA COAST GUARD AND PORT SECURITY (LCG)

Since 2017, the LCG has become the most important Libyan operational actor for coastal border management and search and rescue (SAR).

The LCG headquarter is located within the Libyan Navy premises at the Tripoli harbour, while the LCG Operational Maritime Centre (a joint operational room), which coordinates all operational activities, is located in the Tripoli city centre. This OMC is partially working also as Libyan MRCC (Maritime Rescue Coordination Centre).

The LCG cannot easily be viewed as one coherent institution. For example, the Zawiya LCG unit is led by Capt. Abdul Rahman Milad aka. Bija (included in the UN Sanctions Committee's list since June 2018 for his involvement human smuggling). Bija works a network of operations with the Zawiya branch of the SSA outside the influence of the LCG leadership.

The LCG has on occasions failed to uphold standards expected of a national coast guard conducting SAR. Incidents filmed by NGO's during 2021 raised serious concerns over LCG conduct. Released NGO footage has exposed situations where LCG crew performed dangerous manoeuvres. Similarly, there have also been multiple

incidents in which LCG personnel shot into the water at the stern of a migrant vessel to force them to stop.

Several reports establish that the LCG is under the influences of armed groups that established themselves after the revolution. These groups do not exist in isolation; rather their interests may coincide, resulting in alliances or hybrid bodies, which cater to both state and criminal objectives simultaneously.

Libyan Coast Guard informs UNHCR and IOM prior to most disembarkations in the Tripoli area to allow interventions by the organizations at the spot. In severe cases, an immediate release of migrants or transfer to medical expertise has been negotiated, however, in most cases migrants are taken directly to DCs.

The LCG is one of the main recipients under EU's SIBMMIL programme implemented by Italy and IOM that provides equipment and training on border management and search and rescue (SAR). Among the equipment provided is the Maritime Rescue Coordination Centre. LCG is part of the SIBMMIL steering committee.

EUBAM has also delivered advice and training.

3. GENERAL AUTHORITY OF COSTAL SECURITY (GACS)

The GACS is a law enforcement entity under the MoI responsible for countering irregular migration, smuggling and trafficking on a 30 km band of land along the coastline. The GACS also conduct law enforcement at sea up to 12 nautical miles. Beyond this the Libyan Coast Guard (LCG) is responsible, but in reality, this seems to be more fluid.

In comparison to the LCG, the GACS is politically less well-connected and a much smaller institution. Beyond the Libyan MOI, GACS lacks strong political relationships. Moreover, it is far less-equipped than the LCG. Partly due to its political weakness, GACS has sought to sustain its operations through affiliations with armed groups from the wider Tripoli area.

Despite these institutional weaknesses, GACS developed operational capacities in terms of SAR during 2021 and 2022. However, with the emergence of new actors on SAR/interception, GACS role seems to have diminished somewhat more recently.

GACS is one of the main recipients under EUs SIBMMIL programme implemented by Italy and IoM that provides equipment and training on border management and search and rescue (SAR). GACS is part of the SIBMMIL steering committee.

EUBAM has also delivered advice and training to the GACS.

4. THE BORDER SECURITY AGENCY (BSA)

The Border Security Agency was created in November 2021. Its purpose is to monitor and stabilize land borders through security checkpoints and patrols essentially along

the routes from border crossings to the coast. It is led by Mohamed Shibani al-Farhani, former deputy Minister of Interior and prominent Zintani.

After the more recent appointment of Emad Trabelsi as Minister of Interior, the BSA has been given a larger budget and mandate to deal directly with irregular migration. A large portion of its manpower (1,400) derives from the formerly known Desert Patrol Force that used to be under the DCIM. For that reason, the BSA now more often appears under the name “Desert Patrol and Border Guard Unit”, or simply “Land Border Guards - Mol”, not to be confused with the Ministry of Defences Land Border Guards (see below)

The BSA/LBG-Mol has so far focused its counter-smuggling operations outside Tripoli, especially on the Tunisia-Libya border and in part in areas of southern Tripolitania. Though it is in competition with the DCIM led by al-Khoja, the Desert Patrol and Border Guard unit could well emerge as a powerful actor on human smuggling issues.

The BSA/LBG-Mol has received training on search and rescue, emergency first aid and dead body management in the desert under EU’s SIBMMIL programme, implemented by the Italian Ministry of Interior. They have also received IT and language-training courses.

EUBAM has also delivered advice and training activities to this institution.

5. DEPARTMENT FOR COMBATING SETTLEMENT AND ILLEGAL MIGRATION (DCSIM) under the West Coast branch of the Stabilisation Support Apparatus (SSA)

The West Coast branch of the Stabilisation Support Apparatus (SSA) in Zawiya used to be a part of the general SSA, which was established in January 2021 as an umbrella conglomerate of armed groups led by Abdel Ghani Al-Kikli. However, during late 2021, the West Coast Branch began operating a quasi-official migration unit known as the Department for Combating Settlement and Illegal Migration (DCSIM, not to be confused with DCIM) and later broke with the SSA leadership by ignoring orders to stop its migration related activities.

The Zawiya branch of the SSA/DCSIM is led by Hassan Busriba whose brother, Ali Busriba, is Minister of Interior in the GNS government. The involvement in migration management largely emanates from, and is linked to, initiatives by the Busriba network who are reported to have ties to human smuggling.

Over the last two years, the DCSIM has engaged in both on and offshore patrols targeting irregular migrants. During periods of 2022, it was the most active actor in the maritime domain intercepting several thousands of migrants. The DCSIM also engages in migrant detention, mainly via al-Mayya DC east of Zawiya, which has been at the centre of several critical human rights reports. This DC continues to function and reportedly around 2000 migrants that are not part of the official count.

As of May 2023, the DCSIM has reportedly been incorporated into the GACS (see above) under the GNU Mol, adding another layer of complexity to its position in the

broader picture. Nonetheless, this would solidify the Zawiya unit under as an established actor. The DCSIM is the most recent example of the blurry lines between formal and informal stakeholders on migration.

The EU has not engaged with the DCSIM, neither have international humanitarian partners engaged with the DSCIM or facilities under their command.

6. DIRECTORATE FOR PASSPORTS, NATIONALITY AND FOREIGN AFFAIRS (THE PASSPORT AUTHORITY)

The Passport Authority falls under the MoI and is responsible for issuing passports and visas, and performing checks of passports and visas at border posts. They work closely together with the Criminal Investigation Department who investigates passport or visa fraud.

Since the creation of the DCIM, the role of the Passport Authority has been limited. Previously they would check the papers of workers on constructions sites and in other employment settings. However, these operations have stalled because of a conflict of interest with the DCIM. The current significance of the Passport Authority is thus limited, however, they are important for their practical role related to labour migration to Libya.

The Passport Authority also assists in facilitating IoM VHR flights and has received EU funded training under the SIBMMIL programme.

7. LAND BORDER GUARDS (under MoD)

The Land Border Guards (LBG) falls under the Ministry of Defence. The LBG is responsible for the surveillance of land borders and is organisationally divided across Libya into six regional border sectors, each with three border stations and two to three battalions depending on the topography.

Currently, there are no clear indications of LBG's presence at all border posts in Libya and no operational LBG stations in the South. It is understood that the LBG has a total nominal strength of 18,000, though the majority of the troops are not under the full control of the central command due to the fact that they have loyalties and ties to local militias.

The LBG is identified by law as a military organisation with a military structure, which should enable the LBG to quickly deploy staff even in remote and hostile environments such as the South of Libya. Most of the tasks of the border guards are working with a combination of law enforcement (MoI) and military (MoD) competences. The LBG is able to work with any law enforcement agencies and has a special duty in this regard.

While the LBG holds an important role in border management, their involvement in migration related activities has been limited.

LBG is part of the SIBMMIL steering committee and receives training and rehabilitation of their facilities in Abu Salim and Sabratha. EUBAM has also delivered advisory activities or trainings to the LBG.

8. THE MINISTRY OF INTERIOR (MOI)

The Ministry of Interior (MoI) under leadership of the prominent Zintani, Emad Trabelsi, nominally oversees several central institutions related to migration (see further details above). Trabelsi is himself a former militia leader and well connected among the key Zintani armed groups one of which is led by his brother Abdullah Trabelsi.

MoI's key influence on migration pertains to its role as supervisor of the institutions under its nominal authority, such as DCIM, BSA, GACS, and the Passport Authority. However, the relationship between the MoI and the institutions under its command is highly transactional and the MoI and its sway over especially the DCIM seems limited.

MoI participates in several activities implemented by IOM, such as the LIBMITAF programme to strengthen the legislative framework on migration for increased regularization of labour migration in country. MoI is also a key partner in the SIBMMIL programme where they also hold an overseeing role in the steering committee and for EUBAM on border management activities.

9. THE MINISTRY OF FOREIGN AFFAIRS (MOFA)

The Ministry of Foreign Affairs (MoFA) is an important institution on migration due to its part and power on international cooperation with donors and INGOs. The MoFA has successfully placed itself as a "gate keeper" for all international involvement on migration and carries a considerable normative weight on the political approach to migration in Libya.

IOM, UNHCR, ICMPD are in regular contact with the MoFA as the entry point of the Department of International Organisations. The Department of European Affairs is in the SIBMMIL steering committee. Finally, the MoFA consular affairs branch receive EU funded consular training through ICMPD.

10. OTHERS

The office of the State Minister for Immigration Affairs was set up in 2021 along with the Supreme Committee for Combating Illegal Migration. Neither has had any relevance and the State Minister, Mr. Maatouq, offered his resignation in March 2022 and the committee had 2 official meetings since its inception. The institution is by any relevant account dormant.

The Ministry of Labour (MoL) continues to play a role in regularizing labour migration in Libya. The Ministry has been instrumental for the MoUs that has been signed with Egypt and Niger on establishing Bilateral Labour Agreements to improve conditions

for labour migrants in Libya. In addition, these efforts are supported by new legislation to regularize the overall conditions for all migrant workers in Libya. The MoUs on labour migration bears incredible potential for Libya's economy and Libya's ability to absorb migrants in the country.

The Ministry of Defence is relevant for its nominal authority of the LCG and to a lesser extent the Land Border Guards. However, beyond this, their relevance in the migration portfolio is unclear.

National Team for Border Security and Management is a cross-ministerial and cross-agency advisory board with a potential to increase coordination and intra-Libya cooperation on border management. Its current reach and on-the-ground relevance is unclear, especially on the topic of migration.

In addition to the above-mentioned mandated actors on migration, there continues to exist a large number of security actors in Libya that in varying degrees holds an ambiguous stake in migration. These include the Special Deterrence Force, the Counter Terrorism Unit and others, whose operations often target (foreign) smuggling and trafficking networks operating in Libya. Migrants released/intercepted in the operations are usually held in undisclosed locations or deported at once.

ASSESSMENT

The landscape of actors on migration in western Libya continues to be heavily shaped by the absence of strong central institutions. This has created a fragmented picture of stakeholders on migration even among established actors, but also induced the formation of new actors in the field of migration whose mandate is doubtful.

Ultimately, the situation can best be characterized as a transactional, fluid and delicate balance among various powerful armed groups, and vis-a-vis the GNU. As migration continues to be approached as a security topic above anything else, the GNU remains unlikely to get too involved trying to apply its already very limited leverage for improvements on migration.

The armed groups have different motives for their involvement in the migration management cycle. Usually they seek either legitimacy or economic benefits whether formal (contracts) or informal (extortion, slavery etc). There are clear signs that armed groups leaders, also those involved in migration, are slowly adjusting to a more stable Libya and preparing their image for public positions. This may have opened the door for better cooperation on migration.

However, there is still massive involvement by some militias in exploitation, release for fee schemes, and smuggling of migrants. Some reports indicate that certain militias are pushing both sides of the trade; intercepting and trafficking migrants at the same time.