



# General Assembly

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## Human Rights Council

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**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by Shaik Taher Azzawi Charity Organization, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[28 January 2024]

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\* Issued as received, in the language of submission only.



## **The Conflict in Libya and Its Impact on Rights of Migrants**

After the outbreak of the Libyan revolution in 2011, which overthrew the existing political system before that date, numerous armed conflicts erupted within Libya. These conflicts were driven by various political, social, regional, tribal, and ethnic factors. These conflicts affected the unity of state institutions and sectors, whether they were service, legislative, or security institutions. Despite the proliferation of more than 26 million weapons within Libya and the instability of the security situation due to recurrent armed clashes occurring in different parts of Libyan territory, the phenomenon of the influx of migrants and refugees into Libya was exacerbated by the political changes resulting from the armed conflict. This, in turn, led to the spread of weapons and the weakness of security institutions. Waves of migrants and asylum seekers continued to enter Libya even during the most difficult times when armed conflicts were at their peak. Smugglers considered these times, marked by wars and armed clashes, as the best opportunities to smuggle migrants into Libyan territories unnoticed. This was because, during such periods, those responsible for military and security authorities, entrusted with the role of protecting and monitoring borders, were preoccupied and actively involved in internal armed conflicts, leaving the borders unprotected and unmonitored.

### **A. The Impact of the Armed Conflict in Libya on the Situation of Migrants within the Country:**

Although the Libyan conflict in general did not decrease the sequence and number of inflows of migrants into Libya, with migrants continuing to enter Libya while the armed conflict persisted among the conflicting parties, migrants were affected by this conflict in several ways.

Some warring parties, driven by tribal, regional, and political agendas, exploited the presence of large numbers of vulnerable migrants. They took advantage of their need by recruiting them to fight within Libya. These Migrants experienced repeated physical attacks from some civilians, as acts of aggression against migrants became more prevalent. This was a result of the conflict creating a state of security chaos, and it also impacted the economy of certain segments of society. Also, Some shelters for migrants were targeted and bombed by certain parties during the armed conflict in Libya, not to ignore the fact that some migrants engaged with human trafficking networks, with some becoming involved in armed activities such as guarding unofficial detention facilities. They also participated in conflicts between the Anti-Illegal Immigration Agency and other military forces during attacks on facilities used by human traffickers to detain migrants.

Due to the prevailing security vacuum resulting from the armed conflict, some migrants exploited their residences in shantytowns and poor neighborhoods for activities such as selling weapons, engaging in prostitution, and trafficking drugs and alcohol. Several cases of armed robbery were also recorded in various Libyan cities, carried out by illegal migrants against Libyan citizens and foreigners of different nationalities, taking advantage of the security breakdown during armed conflicts between different factions.

### **B. Places of Detention for Migrants in Libya:**

The locations of migrant detention in Libya vary depending on the authorities overseeing them. There are official detention centers under the authority of the Ministry of Interior and supervised by the Anti-Illegal Immigration Agency, as well as other semi-official detention places, where the overseeing bodies are security entities but not directly affiliated with the Ministry of Interior or the Anti-Illegal Immigration Agency. The latter includes unofficial detention places controlled by smuggling networks and human traffickers.

## **1. Detention Centers Affiliated with the Anti-Illegal Immigration Agency:**

These centers are spread across various regions in Libya, accommodating a significant number of undocumented migrants. These centers are directly supervised by the Anti-Illegal Immigration Agency affiliated with the Ministry of Interior. The number of migrants in these centers reached 704,369 individuals, with 79% being men, 11% women, and 10% children. The distribution of these migrants in Libya shows that 53% are in the western region, 34% in the eastern region, and 13% in the southern region. These detention centers differ in their facilities and the treatment of migrants by the staff. Despite their official affiliation, some staff members commit serious violations against migrants. Some of these centers lack basic services, leading the Anti-Illegal Immigration Agency to decide, on December 5, 2017, to close several of these centers in Tripoli, Misrata, Sirte, Al-Khums, and Al-Khums, citing lack of compliance, because of their creation without proper planning and adherence to human rights conditions and legal standards. Moreover, their location in residential areas is also noted, and their ownership is not attributed to the Ministry of Interior, constituting structures such as sheds, farms, and private buildings.

## **2. Facilities Run by Other Security Authorities:**

These facilities are under the jurisdiction of security authorities not affiliated with the Ministry of Interior. Migrants are placed in these facilities for various reasons, including to justify obtaining budgets for their accommodation and sustenance. Some employees in these entities exploit their security status to engage migrants in unpaid work. For instance, certain judicial police officers deceive migrants in their custody with promises of release in exchange for construction work. Others use indirect methods to intimidate migrants for financial gain. Additionally, armed groups generate financial invoices, addressing relevant authorities to allocate funds under the pretext of providing food, beverages, and accommodation.

## **3. Detention Centers Controlled by Smuggling Networks:**

These locations pose significant dangers to undocumented migrants, subjecting them to severe and varied violations, including sexual assault. There are no specific statistics on the number and locations of these centers. Typically, traffickers recruit migrants within these centers to serve as guards and contribute to the torture of fellow migrants. Some migrants become part of the smuggling network in exchange for financial compensation. Due to numerous complaints from international organizations, the Government of National Unity initiated a military operation against human trafficking networks. This marks a significant move by Libyan authorities, leading to the arrest of several human traffickers who were subsequently prosecuted. In this context, the government introduced a three-pronged approach to addressing migration, focusing on creating a front to combat migration, establishing international mechanisms beyond bilateral initiatives, avoiding the proposal to settle migrants in transit countries, and promoting development in source countries.

## **C. Violations Against Undocumented Migrants:**

Undocumented migrants face numerous violations from the onset of their migration journey, and often even before that, as testified by some migrants. Serious abuses may be one of the reasons behind their decision to migrate. The situation worsens during their journey between countries, as migrants are not spared from violations while traversing deserts and seas. Some migrants reported being subjected to armed robberies by militia groups operating in the deserts between Libya, Chad, and the Sudan. Others mentioned violations by smugglers during the desert journey, where migrants are left behind if they cannot endure the hardships, especially before reaching southern Libyan cities. The distances can range from 150 to 200 kilometers, exposing them to the danger of getting lost and dying of thirst.

Upon entering Libyan territories, migrants do not find reprieve; instead, they are exposed to numerous violations, whether in official or unofficial detention centers controlled by smugglers. The violations include:

1. Torture: Some migrants are subjected to torture in certain accommodation centers, although not all centers put them to such treatment. The most severe torture occurs in facilities or detention places under the control of smugglers.
  2. Forced Disappearance and Non-Disclosure of Information: Some accommodation centers refuse to disclose information about migrants, impeding efforts by their home countries or international organizations to improve their situation. Forced disappearances, coupled with continuous torture, are used by smugglers to extort money from migrants' families, compelling them to pay significant amounts for the release of their loved ones.
  3. Rape and Sexual Assault: Migrants reported instances of sexual assault during their migration journey, either on the road or in certain accommodation centers. These violations are more prevalent in detention centers under the control of smugglers.
  4. Exploitation: Migrants are forced into unpaid and involuntary work during their journey, such as cleaning, cooking, and vehicle maintenance, by smugglers and other entities. Some workers in accommodation centers and security authorities exploit migrants' legal vulnerability to assign them tasks without compensation.
  5. Human Trafficking: Human trafficking occurs as some smugglers sell migrants as slaves. This process involves transactions both in the desert and within cities, away from the scrutiny of government authorities.
  6. Poor Living Conditions: Some accommodation centers and smugglers' facilities provide inadequate living conditions, including insufficient food, undrinkable water, overcrowding, lack of ventilation outlets, absence of cooling and heating facilities, and separation of migrants even if they belong to the same family. In some of these facilities, medical care and first aid are non-existent.
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