HGRA

EnHancing manaGement and studies on migRation issues in LibyA

International Cooperation on Migration in Libya: Multilateral, European, and Bilateral Approaches

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ABOUT HGRA

Migration is an international phenomenon affecting several sectors of both the destination and the country of origin. EU is the most targeted destination for migrants and there are three main routes bringing refugees and migrants to it: the Western Mediterranean Route (usually via Morocco to Spain), the Central Mediterranean Route (usually via Libya to Italy) and the Eastern Mediterranean Route (usually via Turkey to Greece).

The Central Mediterranean Route via Libya is the most active one and accounts for the largest number of people crossing by sea to Europe. In addition, Libya is both a transit and destination country.

The HGRA project is dedicated to enhancing the role of Libyan universities in addressing migration challenges comprehensively. Central to this mission is the empowerment of universities to build capabilities and prepare proficient cadres equipped to tackle migration issues effectively. Through tailored curricula, specialized training programs, and interdisciplinary initiatives, universities play a fundamental role in nurturing professionals with the expertise to navigate migration governance, policy formulation, and societal integration.

Moreover, universities serve as vital hubs for driving scientific research that directly informs evidence-based policymaking and strategic interventions in migration management. By fostering a culture of inquiry and innovation, universities contribute invaluable insights into migration dynamics, socio-economic impacts, and best practices in migration governance. This research not only enriches our understanding of migration phenomena but also equips policymakers with the knowledge needed to devise holistic and sustainable solutions to migration challenges.

In essence, the HGRA project recognizes universities as linchpins for fostering capacity building and scientific research that address migration issues comprehensively, ultimately contributing to the creation of more inclusive and resilient societies.

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Abstract

The Mediterranean Sea has always been a dynamic context for migration and human mobility. The maritime channel connecting Libya and Italy has been of pivotal relevance in this respect. In the recent period, migratory movements have been intensifying along this route, triggering various forms of international cooperation, put in place in order to manage the increased migratory pressure on the Italian (and thus European) borders. This report analyses the international cooperation initiatives put in place with Libya in the field of migration management, by, first, contextualizing the broader migratory phenomenon along the route connecting Italy and Libya; and then by exploring three different forms of cooperation on migration-related matters between Libya and different partners: bilaterally, with Italy, and multilaterally, with the EU on the one hand, and other international organisations as the United Nations and the African Union on the other. By way of conclusion, the report offers some final remarks on the different cooperation experiences put in place with Libya on migration-related matters.

International cooperation experiences with Libya on migration management: implications and perspectives

This contribution aims at analysing the international cooperation initiatives put in place with Libya in the field of migration management. It will first contextualize the migratory phenomenon unfolding along the route connecting Italy and Libya; then it will explore three forms of cooperation on migration-related matters between Libya and different partners: bilaterally, with Italy, and multilaterally, with the EU on the one hand, and other international organisations as the United Nations and the African Union on the other. Finally, it will provide some concluding thoughts on the different cooperation experiences put in place with Libya on migration-related matters.

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1. Introduction

The Mediterranean Sea has always been a context for human mobility and migration. For centuries thousands of persons have travelled across its waters and entered in contact with other populations for the most different reasons. Nowadays, the Mediterranean continues to be a bridge between the "South" and the "North", with migratory flows towards Europe that have been intensifying during the last decades.

The increase of the trans-Mediterranean mobility has been accompanied by the proliferation of a widespread system of irregular migration channels to Europe. A deeply-rooted and prosperous "business" associated with a growing mortality rate: a combination which, according to the International Organization for Migration ("IOM"), has rendered the Mediterranean crossing the world's deadliest route for migrants (IOM, 2017).

The migratory mobility has been intensifying from 2011 onwards, following turmoil and instability in some of the North-African countries and the outbreak of the war in Syria, which generated millions of refugees. As a consequence, migratory flows towards Europe have grown exponentially, leading to "refugee crisis" (Atak & Crepeau, 2014; Boyssut, 2015), which reached its peak in 2015, when an estimated one million migrants irregularly entered the territory of the European Union ("EU") (Frontex, 2016). Migration has thus emerged as a common, urgent and long-

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lasting challenge in the EU, gaining prominence and becoming one of the main concerns for European policymakers and a top priority on the EU political agenda (European Commission, 2018).

In this scenario, the EU and its most affected Member States have engaged in cooperation at the international level in order to deal with incoming migratory flows, fostering dialogue and collaboration with countries of origin and transit, among which, in particular, Libya stands out. This latter country, indeed, plays a crucial role in the overall geo-political context of the Southern Mediterranean, representing a point of pivotal importance in terms of migratory channels towards Europe. The "strategic" geographical location at the centre of the North African coast, indeed, makes Libya a major transit area and a significant pole of attraction for migrants wishing to reach the EU.

Against this background, this contribution aims at analysing the international cooperation initiatives put in place with Libya in the field of migration and border control. To this end, it will first contextualize the migratory phenomenon unfolding along the route connecting Italy and Libya (para. 2). It will then explore the various forms of cooperation on migration-related matters between Libya and different partners: bilaterally, with Italy (para. 3), and multilaterally, with the involvement of international organisations such as the EU (para. 4), as well as the United Nations and the African Union (para. 5). Finally, the text will provide some concluding thoughts on the different cooperation experiences put in place with Libya (para. 6).

2. The migratory map: trends and dynamics along the Central Mediterranean route

Before examining the cooperation initiatives involving Libya and other national and international actors, it is worthwhile to contextualize the trends and dynamics of the migratory scenario in the Central Mediterranean. The stretch of the Mediterranean Sea between the Southern and Northern shores directly links Libya with the EU Member States Italy and Malta, representing one of the main migratory routes to Europe. The EU Agency Frontex classifies this migratory channel as the "Central Mediterranean Route" (Frontex, 2024). Established twenty years ago, Frontex is legally mandated to regularly monitor the European external borders, in order to create a comprehensive picture of the migratory situation affecting the EU. To this end, it combines the data from various sources, so as to elaborate a holistic picture of the migratory trends and pressures.

When it comes to the migratory route connecting Libya and Italy, data collected by Frontex reveal a significant evolution. In terms of general migratory characteristics, the two countries share a common feature: they are both a destination and a transit country. Migrants arriving in their

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territory, indeed, usually do not intend to stop there, but rather to further pursue their journey (in the case of Libya, towards Italy; in the case of Italy, towards Austria, Germany and the central Europe in general). Frontex's data show how, in recent years, the channel between Libya and Italy has become the most important human trafficking route linking central and northern Africa with Europe.

To explain this with some numbers, one can consider that the Central Mediterranean route was under intense pressure especially during 2014-2016, which represented the peak of the irregular migratory movements. In 2016, in particular, 181,459 migrants were detected, which was the highest number ever recorded in the region. The main departure point was Libya (Frontex, 2022). In 2017, the number of irregular migrants detected on this migratory path stood at 119,385; while in 2018, the Central Mediterranean route started to experience a drop in the number of irregular migrants. The total number of irregular border crossings plunged 80% to 2,800, that is, the lowest number since 2012 (Frontex, 2022). Libya represented once again the main departure point of flows, with about the 90% of migrants heading to Italy and Europe departing from there (UNODC, 2018). Tunisians and Eritreans were the two most relevant nationalities on this route, together accounting for more than one third of all detected migrants. 2019 confirmed the decreasing trend, recording the lowest yearly number of irregular migrants, for a total of 14,874 arrivals, a 40% decline from the previous year. Nationals of Tunisia, Sudan and Côte d'Ivoire were most detected on this route (Frontex, 2022).

Starting from 2020, however, the number of irregular migrants detected on the Central Mediterranean route begun to significantly increase again, making it the most-used path to Europe. The number of detections in 2020, indeed, doubled from the previous year to a total of 36,435. Libya confirmed itself as the most common departure point, especially for migrants coming from Tunisia (the top detected nationality, accounting for over one third of all detections in 2020), followed by migrants from Bangladesh and Côte d'Ivoire (Frontex, 2022). This migratory trend was confirmed in 2021, the Central Mediterranean continuing to be the most used path to Europe with 67,724 migrants detected on this route (an 90% increase from the previous year and a 23% of the overall reported illegal border-crossings at the external borders of the EU).

In the most recent years, relevant trends can also be identified. In 2022, the number of detections in the Central Mediterranean rose by more than half to well over 100,000 detections. Tunisia became another significant point of departure towards Italy, along with Libya (Frontex, 2022). Finally, in 2023, the situation switched: Tunisia ranked first as a country of departure, followed by Libya. This year witnessed a significant increase in the arrivals along the Central Mediterranean route, amounting to almost 158,000 irregular border crossings (50% more than in 2022). Tunisians, Guineans, and Ivorians were the top three nationalities reported in 2023, a year which saw the most arrivals in this region since 2016 (Frontex, 2022).

Against the background of such a highly complex and rapidly-evolving scenario, the Central Mediterranean route through Libya has turned into a matter of major concern for Italy and the EU, which have engaged in a number of initiatives towards the containment and prevention of departures of migrants. These deserve attention and will be examined more in details below, in the following paragraphs.

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3. Bilateral cooperation between Italy and Libya

Italy and Libya have a long tradition and history of bilateral collaboration on a variety of matters, such as trade, agriculture, industry, energy, local development and, most notably, migration and border controls. Italy considers Libya a strategic partner to intensively work with, a key for the broader cooperation system in Mediterranean area. Italy is the second humanitarian donor, immediately after the EU, supporting Libya by financing numerous initiatives to sustain both the population and local institutions, according to two main lines of intervention: i) emergency initiatives aimed at providing humanitarian assistance and protection to the most vulnerable segments of the population; ii) broader initiatives that aim to promote the process of stabilization, rehabilitation, national reconciliation and reconstruction of the country (Italian Government, Ministry of Foreign Affairs, 2024).

When it comes to border and migration control in the Mediterranean area, cooperation between Italy and Libya has been equally significant, as it is apparent from the collaboration initiatives put in place between the end of the '90s and the early 2000s. Starting from the 1990s, in particular, dialogue has been intensifying, with a growing bilateral engagement in a number of sectors, such as fight against terrorism, organised crime and illegal immigration. Collaboration in these areas was established in the 2000 Cooperation Agreement on fight against terrorism, organised crime and illegal immigration *("Accordo per la collaborazione nella lotta al terrorismo, alla criminalità organizzata, al traffico illegale di stupefacenti e sostanze psicotrope e alla immigrazione clandestine"*, signed in Rome on 13 December 2000), which was later complemented by the adoption of two protocols signed in Tripoli on 29 December 2007.

The Italian-Libyan dialogue was further reinforced through the conclusion of a Treaty of Friendship and Cooperation, signed in Bengasi on 30 August 2008, and aimed at building a structured and more effective partnership. The Preamble of the treaty, indeed, emphasizes the special relationship between the two countries and lays down the fundamental principles upon which the cooperation shall be established: mutual respect, protection and promotion of human rights and freedoms. The agreement covers various areas of cooperation, including trade, energy, defence, culture and science. A specific focus is put on migration, establishing an enhanced form of cooperation to be built upon the previous agreement of 2000 and the subsequent 2007 Protocols. Article 19 of the Treaty, in particular, details the actions devoted to the control of borders, both in the Mediterranean, via joint-operations on the sea, and on the Libyan shores, via technology and equipment to be provided by Italy and the EU.

More recently, a further step in the cooperation on migration and border has been put in place with the signature, on 2 February 2017, of a Memorandum of Understanding ("MoU") ("Memorandum of understanding on cooperation in the fields of development, the fight against illegal immigration, human trafficking and fuel smuggling and on reinforcing the security of borders between the State of Libya and the Italian Republic"). The MoU is aimed at reinforcing and fostering the cooperation between the two counterparts, with a view to also producing stabilizing and

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beneficial effects for the Central Mediterranean region in general. With this prospect, the MoU has also been welcomed and endorsed by the European Union (European Council 2017).

The Memorandum, as it emerges from the Preamble, builds upon "the common historical and cultural heritage and the strong bond of friendship between the peoples of Libya and Italy", and aims in particular at addressing "the challenges deriving from continuous and high flows of clandestine migrants", as well as at "identifying urgent solutions to the issue of clandestine migrants crossing Libya to reach Europe by sea". To this end, the agreement intends to further ensure the implementation of the measures defined under Article 19 of the 2008 Treaty of Friendship and Cooperation, which is indeed explicitly recalled and referred to. In practical terms, the MoU establishes a number of operational measures, which include Italy's financial and technical support within different sectors (e.g. human resources, personnel training, technological equipment) in favour of Libyan institutions (Article 1); and the setting up and reinforcement of border infrastructures and reception centres (Article 2). The EU is also involved in terms of co-funding (Article 4).

In terms of validity, the MoU has a duration of three years, with a mechanism of tacit and automatic renewal, unless one of the two Contracting Parties decides otherwise by notifying its intention in this respect (Article 8). Building on this, as a matter of fact, the Memorandum has already been renewed twice, first in 2020 and then again, so that, at the time of writing, it is still in force, being the current and valid source of management of migration and border matters between Italy and Libya.

4. EU-Libya cooperation on migration and border control

In parallel with the bilateral cooperation with Italy, dialogue processes have also been conducted between Libya and the EU, as the latter considers the former as a strategic country for European business activities in general and, more specifically, for migration-related issues, which have proven to be politically very divisive in most EU Member States. The EU, thus, has been active in this respect, working to protect migrants and refugees and support local communities in Libya, while taking action to reduce irregular departures through border management. Such an approach traces back at least to a few decades ago.

In 2009, the European Commission and the European External Actions Service ("EEAS") issued the "Libya Strategy Paper and National Indicative Programme 2011-2013", outlining the EU's strategy in that country and identifying priority areas of cooperation, including, in particular, "fighting illegal migration in the Mediterranean or terrorism, developing Libya's energy resources in hydrocarbons and renewable energies, creating the bases for successful investment in new sectors, improving fundamental freedoms and human rights" (EAAS, 2011). These lines of action were

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reiterated and further developed by the EU in 2011, in order to foster cooperation with specific African countries, including Libya (European Commission, 2011).

Within this cooperation framework, the necessity to prioritise the migration issue linked to Libya has been repeatedly affirmed by the EU institutions over the years, and especially during the peak of the so-called refugee crisis in 2014 and 2015. In the October 2014 Council Conclusions on Libya, for example, European policymakers clearly expressed their strong political interest and commitment to assisting the country (Council of the EU, 2014). In 2015, the Council of the EU agreed to take action in order "to strengthen our presence at sea, to fight the traffickers, to prevent illegal migration flows and to reinforce internal solidarity and responsibility", reiterating that "the EU cannot accept the continuing tragic loss of life at sea of migrants departing from Libya… The challenges posed must be addressed in a comprehensive manner" (Council of the EU, 2015). Similar assertions have come from the Commission (European Commission, 2017) and the European Council (European Council, 2017). Against this background, different measures have been adopted by the EU to cope with the Libyan migratory situation, including financial tools, operational measures and political-diplomatic initiatives.

As for the financial support, the EU has sustained Libya via a variety of tools and programmes, both migration-specific and more general. By way of example, the Emergency Trust Fund for Africa was launched by European and African partners at the Valletta Summit on migration in November 2015, and has been the EU's main tool to support Libya in the area of migration, with a total of €465 million committed between 2015 and 2021 (European Commission, 2024). These funds – whose disbursement is currently foreseen until December 2025 – are mainly directed to the protection and assistance of migrants, refugees and internally displaced people, alongside actions to support municipalities along the migratory routes and to strengthen integrated border management. A further, general tool of financial support is the European Neighbourhood Instrument, which, for the period 2014-2020, provided Libya with assistance amounting to €98 million and focused on a variety of sectors, including those migration-related (European Commission, 2024). Finally, for the current and future period (2021-2027), assistance is provided via the Neighbourhood, Development and International Cooperation Instrument, which is the main instrument for EU's cooperation with external partners, including Libya (European Commission, 2024).

As regards operational measures, one can mention the civilian-military missions launched under the EU's Common and Security Defence Policy, most notably EUBAM Libya (Council of the EU, 2013) and EUNAVFOR MED (Council of the EU, 2015). The former contributes to the development of border management and security at Libya's land, sea and air borders (Ivashchenko et al., 2017; Loschi et. al., 2018); while the latter was launched to combat smuggling in Libya's territorial sea (Strauch, 2017).

Finally, when it comes to political and diplomatic cooperation processes, in addition to autonomously-led actions, the EU has also been involved in multilateral initiatives with relevant international actors. In this case, the EU has engaged in dialogues to foster collaboration aimed at addressing the humanitarian-migratory situation in Libya. Most interestingly, as the next paragraphs will illustrate, such collaboration has been especially interesting when conducted with other international organizations like the African Union ("AU") and the United Nations ("UN").

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5. The UN-AU-EU cooperation and the joint Taskforce on migration and Libya

The EU has been increasingly dealing with the UN and the AU for the stabilisation of the European Southern maritime borders, developing and consolidating an interesting form of trilateral cooperation in migration-related matters. Back in 2003 the EU and the UN released the "Joint Declaration on UN-EU Cooperation in crisis management", where the two organisations expressed their commitment to "examine ways and means to enhance mutual coordination" (UN-EU, 2003). Later on, they expressed the opportunity to involve the AU, so as to broaden the collaboration and better focus on crisis management in Africa (UN-EU, 2007). To this end, coordination initiatives and information-sharing between the respective delegations were initiated, as well as yearly trilateral coordination meetings to discuss common benchmarks, goals, actions and strategies (EEAS, 2012). In 2015, seven common priorities were laid down, among which, the partners included the objective of ensuring "support to the African peace and security architecture", thereby expressing the necessity to "move towards closer trilateral cooperation among the UN/EU/AU" (EEAS, 2015).

Against this background, this triangular cooperation has proved especially promising and interesting with regard to the humanitarian and migration situation in Libya. The issue was first discussed at the 2017 AU-EU Summit held in Abidjan (Gatta, 2022). In the Joint Declaration adopted within the summit, European and African leaders emphasised the importance of looking for long-term solutions to deal with the Libyan migration situation, highlighting the need "to address the root causes of irregular migration and forced displacement" and "to promote a (…) multidimensional approach to migration that takes place in a safe, orderly and regular manner" (AU, 2017). The immediate and practical result was the establishment of a joint AU-EU-UN Task Force ("TF") on migration and Libya, formally launched in two summits held in December 2017 in Addis Ababa and, a few days later, in Brussels, where the representatives of the three organisations defined the scope of action of "an unprecedented mechanism for cooperation" (EEAS, 2017).

The mission, tasks and competences of the organism were discussed and defined in subsequent meetings between the organisations, such as those held at the UN headquarters in New York in 2018 (AU-EU-UN, 2018), and in an *ad hoc* meeting in Addis Ababa in 2019 (AU-EU-UN, 2019). The mandate of the TF was specifically focused on the Libyan migration-related issues, to be addressed via coordinated, multilateral cooperation efforts according to both long-term strategies and immediate and urgent interventions (European Commission, 2017). The former set of objectives were identified in the improvement of conditions of migrants and asylum seekers in Libya, and in the fight of smuggling and human-trafficking activities. The latter set of actions focused on the resettlement of migrants and asylum seekers outside Libya, to be carried out on the basis of on-going operations carried out by IOM and the UN High Commissioner for Refugees ("UNHCR").

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These actions have led to tangible results on the ground. The first type consisted in an emergency Voluntary Humanitarian Return ("VHR") operation, managed by IOM and aimed at the safe return of migrants from Libya to their home countries and at their reintegration therein. Overall, in 2017 and 2018, the joint work of the TF supported more than 39,000 migrants to return to their countries of origin under the IOM-led VHR initiatives (EEAS, 2018).

The second type of project was represented by an emergency Transit Evacuation Mechanism ("ETM"), under the UNHCR's guidance, targeting asylum seekers present in Libya but unable to return to their countries of origin. The programme essentially encompasses two different phases and movements: the initial, assisted evacuation of asylum seekers and refugees from Libya, followed by their resettlement to specific host countries which previously gave the availability to receive them. According to the UNHCR, between September 2017 and April 2018, over 1,300 refugees and asylum seekers have been evacuated from Libya via ETM operations and resettled to countries like Canada, Italy, France, the Netherlands, Sweden and Romania (UNHCR, 2018); and from November 2017 to May 2019, additional 3,612 individuals have been transferred (UNHCR, 2019).

Ultimately, the AU-EU-UN trilateral cooperation may be considered as a positive experience in addressing the migratory pressure over Libya. The TF on migration and Libya, in particular, led to the achievement of tangible results and constitutes an encouraging and fruitful cooperation experiment, as it required effective coordination between all the involved actors: Libyan authorities, having the role to work on the ground with UNHCR, so as to allow the identification and registration of asylum seekers; the AU, working in close cooperation with African countries of origin to provide adequate consular services to their nationals, including timely release of documentation needed for the returns; the UN, providing logistic support and sustaining the UNHCR in organising and orchestrating all the procedures; the EU, contributing with funds and financial support, as well as encouraging its Member States to make available places for resettlement and receive refugees from Libya.

6. Concluding remarks

Migration is an ancient and natural human phenomenon. In the Mediterranean area, it has always been the vehicle of human development and exchange of individuals, goods and ideas. Libya and Italy, in this respect, are two natural neighbors, being located at the opposite shores of the Mediterranean Sea. For this reason, historically, they have been relating to one another, in a variety of areas, including, in particular, migration. The international events that unfolded in the last two decades have fueled intense migratory movements in the Mediterranean, putting many asylum seekers and refugees on the move. The so-called Central Mediterranean route has been used as one of the main entry-channel into the EU, Libya being the main point of transit and departure for migratory movements.

This led to humanitarian and migratory issues, which have been addressed via international cooperation. In this respect, in particular, three forms of dialogue and collaboration have been explored in this contribution. Firstly, the bilateral cooperation between Italy and Libya, which dates back to the 1990s and has been very recently renewed and strengthened via the adoption of the Memorandum of Understanding, which lays down the current operational framework for migration

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and border management. Secondly, the dialogue processes led by the EU vis-à-vis Libya, which led to the deployment of a variety of cooperation instruments, including financial tools, missions on the ground, and diplomatic and political support. Thirdly and finally, the cooperation with Libya has also involved a multilateral and multi-organizational dimension, with the actions agreed and implemented between the UN, the AU and the EU. Among these, the TF on Migration & Libya represents an interesting and promising experiment of international cooperation, which could be replicated in order to confirm and consolidate the positive results achieved for all the stakeholders involved.

Ultimately, partnership and collaboration with Libya on migration may be considered as a still relatively "young" cooperation experience, with room for improvement. The counterparts would need to reflect on what worked so far, identify flaws and shortcomings, and find out how to fix them. The "common vision" they invoke in their summits and agreements, indeed, may fully take shape only if it will be sustained by effective commitments and a genuine spirit of cooperation and friendship.

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