



European University Institute

ROBERT SCHUMAN CENTRE FOR ADVANCED STUDIES



MIGRATION POLICY CENTRE



Co-financed by the EU

Migration Facts Libya

On the web: www.migrationpolicycentre.eu

April 2013

Introduction Immigration flows into Libya began in the 1960s after the discovery of oil and hydrocarbon reserves. In the following two decades, the rise in oil revenues, implementation of economic and social programs, and the country's lack of indigenous manpower, all continued to attract immigrants, particularly those from Egypt and Tunisia. Meanwhile, a number of severe droughts and violent conflicts in the Sahel region triggered other refugee and migrant flows to Libya – mostly Nigerien Tuaregs and also Tubu refugees. In the 1990s, Qaddafi's open-door policy saw Sub-Saharan nationals reach Libya in large numbers. Finally, during the 2000s, with the desire to reach a balance between Libya's previous migration policies and Libya's involvement in international discussions on illegal immigration control, Libya started to cooperate with European countries over irregular migration. During the 2011 uprisings, hundreds of thousands of migrants fled towards Egypt and Tunisia, and, to a lesser extent, Chad.

Demographic-Economic				
Outward Migration		Inward Migration		
STOCK				
Libyan emigration stocks - year 2011 (a)		Immigration stocks in Libya – various estimates		
Total emigrants: 67,076		Source	Number	Top nationalities
Five top countries of residence: Israel: 17,460 United Kingdom: 16,000 Germany: 4,827 Egypt: 3,720 Canada: 3,615		Libyan authorities (as provided to the European Commission)	600,000 regular migrants + 750,000-1.2 mln irregular migrants	–
Sex: Males: 54.8% Females: 45.2%	Age group: Less than 15: 20.2% 15-64: 74.9% 65+: 4.9%	Libyan population census	359,540 foreign nationals	Egypt: 164,348 Sudan: 43,680 Palestine: 28,596
Level of education (year 2006): primary or below (20.8%); secondary (62.6%); tertiary (16.6%)		IOM estimates (cumulated number of foreign nationals fleeing from Libya since 20th February to November 3 rd , 2011)	768,362 foreign nationals	–
Occupation (year 2006): professionals (16.2%); legislators, senior officials and managers (14.8%); clerks (14.2%)		Consular records of origin countries: Egypt: 2,000,000 Egyptian migrants (2009) Tunisia: 87,200 Tunisian migrants (2009) Morocco: 68,276 Moroccan migrants (2012)		
Notes: (a) Libyan emigrants are defined according to the country of birth (best option) or country of nationality criterion according to countries of residence Source: destination countries' sources (population census/population register/household survey).				
FLOWS				
Outflows of Libyan nationals to selected countries of destination – year 2011		Migrants fled Libya during the crisis – period: 20th Feb – 3rd Nov 2011		
Total outflows: 4,829		Total migrants: 768,372		
Five top countries of destination: United Kingdom: 1,404 Australia: 1,220 Italy: 796 Sweden: 274 Germany: 210		Five top countries of arrival: Tunisia: 345,238 (Tunisian nationals: 39.6%) Egypt: 242,797 (Egyptian nationals: 63.7%) Niger: 84,428 (Nigerian nationals: 93.6%) Chad: 51,682 (Chadian nationals: 98.4%) Italy: 25,935		
Source: flow data provided by first residence permits (EU MS + Norway) and visas (US + Australia) issued annually to Libyan nationals.		Source: International Organization of Migration (in http://www.migration-crisis.com/libya/reports/view/589)		

Legal and political framework governing migration and mobility

General legal references

- Constitutional Declaration 3 August 2011 (basis of law during transition stage until constitution can be adopted);
- Law n°17 of 1954 on Libyan nationality (Law n°18 of 1980 on Arab nationality);
- Law n°06 of 1987 regarding foreign nationals' entry and stay in Libya (Ordinances n°247 of 1989 and n°125 of 2005 related to its implementation);
- Ordinance n°238 and 260 of 1989 on employment conditions of foreign workers;
- Decree n°6 of 2007 listing professions open to aliens, and Decision 98 of 2007 (red card);
- Law n° 02 of 2004 and Law n°19 of 2010 combating irregular migration

Outward Migration and Mobility	Inward Migration and Mobility	
Visa	Visa	
Suppression of exit visas for nationals in 1991.	Entry conditions typically require passport and visa, and sometimes a letter of invitation. Visa requirements for all nationals except nationals from the Maghreb.	
Labour	Labour	
As Libya is a labour-importing country, Libyan labour migration to other countries (and out-migration in general) represents a marginal phenomenon. The few numbers of Libyans abroad are mainly businessmen or students who tend to migrate on a temporary basis.	Historically, Government has welcomed foreign workers to fill vast labour demands in Libya. Labour agreements made with Tunisia, Egypt, Morocco, Jordan, Algeria, Ukraine, among others. Labour visa granted if there is a labour contract and a health card. National and Arab preference in employment. Red card (3 month stay for purpose of job searching) granted to nationals from States linked to Libya by a bilateral agreement. Certain professions are listed for aliens. 70% cap on foreign manpower in private/public sectors.	
Irregular Migration	Rights	
Pre- and post-revolutionary governments have considered irregular migration a top priority. Legally, a prison sentence and fine for facilitation of irregular exit is imposed. A number of bilateral agreements have been made. Between Libya and Italy: in 2000, an agreement included cooperation against irregular migration; in 2003, an informal readmission agreement was made; in 2007, the two countries signed an agreement to conduct joint patrolling of maritime borders in order to reduce irregular migration; and as part of the 2008 "Friendship Pact" between Italy and Libya, Libya agreed to collaborate with Italy on the return of boats intercepted on international waters (or so-called 'pushed-backs'). Although the Transitional National Council reaffirmed the Pact in December 2011, in February 2012 the European Court of Human Rights pronounced in the Hirsi case that the pact between Italy and Libya was unacceptable. The agreement, therefore, was suspended. Even so, in April 2012 Italy-Libya migration cooperation was reinforced (agreement on training programs, the detention of migrants, and voluntary return programs). One of the top priorities for the new Libyan government, the General National Council, is increasing border security in order to combat irregular migration, trafficking in arms and drugs, and organized crime. Throughout 2012, Libya increased cooperation with France to secure borders. In December 2012, Libya made agreements with Algeria, Niger, Chad, and Sudan to secure borders and setup joint border forces. Libya is working with other neighbours, Tunisia and Egypt, to secure borders. Libya has also been cooperating with the EU, and receives funding for several initiatives including the fight against trafficking and assistance to voluntary return and reintegration from Libya to the respective origin countries. In 2013, the EU renewed its interest to commence initiatives to secure Libyan borders when the Council approved the crisis management concept for a possible civilian Common Security and Defence Policy mission to support border management in Libya.	Family reunification recognised for certain family members, provided the foreign resident provides for their needs. Access to public services. I	
	Irregular Migration	Prison sentence and fine for: facilitation of irregular entry to the territory; and irregular stay or entry, preceding deportation. Most irregular migrants who are intercepted are sent to one of the 38 detention centres throughout Libya run by the Government or autonomous militias. They either: have the possibility to obtain work and regularize their stay; are sent back to their countries of origin; or are allowed stay.
	International Protection	Currently there is neither national asylum system nor formal agreement with UNHCR. UNHCR is not authorized to carry out refugee status determination, but it can provide protection to vulnerable Somali, Ethiopian, and Eritrean migrants held in detention centres. 1951 Convention on Refugees not ratified. 1969 Convention ratified. Party to the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa. Protocol for the Treatment of Palestinians in Arab States accepted. Article 10 of the Constitutional Declaration (2011) states that Libya shall guarantee the right of asylum by virtue of the law, and the extradition of political refugees shall be prohibited.
Multiple Citizenship	Citizenship	
Dual citizenship theoretically needs authorisation from the Libyan government.	The Government of Libya considers all children born to Libyan fathers to be Libyan citizens. Libyan mothers only transmit nationality only in cases of unknown or stateless father under certain conditions. A foreign woman married to a Libyan man can obtain Libyan citizenship if she renounces her nationality. Naturalisation generally after 10 years residence, 5 years for Arab descendants.	