

T.C.

İSTANBUL YENİ YÜZYIL UNIVERSITY

GRADUATE SCHOOL OF SOCIAL SCIENCES

POLITICAL SCIENCE AND INTERNATIONAL RELATIONS PROGRAMME



**THE ILLEGAL IMMIGRATION AND THE CASE OF
LIBYAN-EUROPEAN RELATIONS
PHD DISSERTATION**

Walid ALSUESSI

161302073

İSTANBUL, DECEMBER 2022

T.C.

ISTANBUL YENİ YÜZYIL UNIVERSITY

GRADUATE SCHOOL OF SOCIAL SCIENCES

POLITICAL SCIENCE AND INTERNATIONAL RELATIONS PROGRAMME

POLITICAL SCIENCE AND INTERNATIONAL RELATIONS PROGRAMME



**THE ILLEGAL IMMIGRATION AND THE CASE OF
LIBYAN-EUROPEAN RELATIONS**

PHD DISSERTATION

Walid ALSUESSI

SUPERVISOR

Assoc. Prof. Dr. Pelin YANTUR

İSTANBUL, DECEMBER 2022



T.C.

**İSTANBUL YENİ YÜZYIL UNIVERSITY
GRADUATE SCHOOL OF SOCIAL SCIENCES
POLITICAL SCIENCE AND INTERNATIONAL RELATIONS
DEPARTMENT
PHD PROGRAMME**

ETHICAL STATEMENT

In this project, I prepared my manuscript in accordance with the thesis writing rules of the Institute of Social Sciences at Istanbul Yeni Yüzyıl University and I hereby declare that;

- I have obtained the data, information and documents provided within the thesis within the framework of academic and ethical rules,
- I have submitted all information, documents, evaluations and results in accordance with the requirements of scientific ethics and moral rules,
- I have cited all works that I have used in the project by appropriately referring to my sources,
- I have not made any changes to the data used,
- The work I present here is original, and if found otherwise, I declare that I accept all loss of rights that may occur.

28 / 12 / 2022

Walid ALSUESSI

Signature

PREFACE

Illegal migration and population displacement continue to be a worldwide problem. Several major immigrant-receiving countries continue to face the challenge of illegal immigration, a problem that frustrates policymakers and the general public alike. Along with the dramatic increase in the number of African migrants trying to reach Europe by boat, and the subsequent failure of several of them to do so, comes the mutual accusation of default among Libya and Europe. Many people are concerned about this issue now, but there is a lack of thorough investigation and data on the topic of illegal immigrants from Libya. The primary goal of this study is to provide greater understanding of the issue of illegal migration from Africa through Libya to the European Union and its detrimental effects on the relationship between Libya and the European Union. This research will shed light on the difficulties faced by Libya's Department of Combating Illegal Immigration. And will play a crucial role in gaining entry to the superior answer to those difficulties and turning into a remedy to migration in Libya. There are multiple significant aspects of the study that contribute to its significance. Learn what the primary cause is for the mass illegal migration of Africans through Libya and onward to southern Europe.

I would like to express heartfelt appreciation, gratitude, and thanks to my supervisor, Assoc. Prof. Pelin YANTUR who accompanied us along our research journey. From the beginning of the dissertation until the last lines, she was the best support, advisor, and guidance for us. She was patient with us and devoted to his career. Additionally, I want to express my gratitude to my friends and family for their support and encouragement during this journey, with special thanks to my amazing parents for their unwavering support. Finally, I would like to express my gratitude and appreciation to everyone who assisted in the completion of this study, which I hope will be beneficial and serve as a database and a reliable source of information for academic research in Libya.

İSTANBUL, 2022

Walid ALSUESSI

CONTENTS

Page Number

THESIS APPROVAL PAGE.....	ii
ETHICAL STATEMENT	iii
PREFACE.....	iv
CONTENTS	v
LIST OF TABLES	x
LIST OF FIGURES	xii
LIST OF ABBREVIATIONS	xiii
ABSTRACT	xv
ÖZET	xvi
INTRODUCTION	1

CHAPTER I

1. CONCEPTUAL FRAMEWORK FOR MIGRATION.....	3
1.1. Background of Immigration	3
1.2. Impact of Undocumented Immigrants.....	6
1.3. Libya Location.....	10
1.4. Research Problem	11
1.5. Aims and Objectives.....	13
1.6. Research Questions	13
1.7. The Significance of the Study	13
1.8. Limitations of the Research	14
1.9. Definitions of the Keywords.....	14

CHAPTER II

2. THEORETICAL FRAMEWORK FOR MIGRATION.....	16
2.1. Theoretical Review	16
2.1.1. Immigration / Migrant	16
2.1.2. Legal/Illegal Migration.....	17
2.2. Migration Networks Theory	18

2.3. Push and Pull Factors Theory	18
2.4. Critics of the Theory	19
2.5. Relevance of Literature	20
2.5.1. The Forces for Illegal Immigrant	20
2.6. Threat of Illegal Immigrant	24
2.6.1. Migrants Tend to Rob Natives of Their Employment Opportunities	24
2.6.2. Immigration Leads to Brain Drain and Labor Depletion in the Sending Country	25
2.6.3. Transnational Crime	25
2.6.4. Societal Disruption	26
2.6.5. Military and Political Activities	27
2.6.6. Prostitution	27
2.7. Knowledge Gap	28
2.8. The Challenges of Illegal Immigration	29
2.9. Selective Immigration Policies	32
2.10. The Position of International Humanitarian Law on Illegal Immigration	34
2.10.1. Illegal Immigration in the Legislation of European Countries	34
2.10.2. Illegal Migration from The Perspective of International Humanitarian Law	37
2.10.3. Aid for Illegal Immigrants	38
2.10.4. Protection Mechanisms for Illegal Immigration	40
2.10.5. EU Strategies Towards Illegal Immigration	40
2.10.6. International Conventions and Charters to Combat Illegal Immigration	43

CHAPTER III

3. MIGRATION THROUGH LIBYA	46
3.1. Illegal Immigration to and From Libya	53
3.1.1. International Legal Treatment and Libyan Commitment	53
3.2. Libyan National Security Challenges Due to Illegal Immigration	56

3.3. The Start of Illegal Migrations with The Expropriation of Libyan Lands	58
3.4. Routes Taken by Illegal Immigration	60
3.5. Migration from Chad to Libya.....	61
3.6. Migration from Sudan to Libya	62
3.7. Migration from Niger to Libya.....	64
3.8. The path of Illegal Immigration of Egyptians to Libya.....	65
3.9. The Impact of Illegal Immigration on Libyan National Security	66
3.9.1. The Reality of Libyan Security in Light of Illegal Immigration ..	66
3.9.2. The Future of Libyan Security in Light of Illegal Immigration	75
3.10. The Deadliest Sea Route	84
3.11. Insecure Detention Centers	85
3.12. The Effect of Immigration on the Libyan Government	86
3.13. Libyan National Security and the Challenges of Illegal Immigration.....	88
3.14. Libyan Euro-Mediterranean Relations	91
3.15. Libya-Europe Relations in Light of Migration	96
3.15.1. Migration through Libya in Post-Gaddafi Era.....	98
3.15.2. Europe's Responses and Cooperation with Libya	100
3.15.3. Curbing Migration into Libya from the South.....	102
3.16. The Role of Interests in Libyan-European Relations	103
3.17. Covid-19 Impact On Illegal Immigration.....	106
3.18. Combating Illegal Immigration in International Law	114
3.19. The Role of The United Nations High Commissioner for Refugees in Libya	116
3.20. European Union Laws Regarding Illegal Immigrants	119
3.21. Measures Taken to Curb Immigration.....	121
3.22. Libya's Agreements with Europe to Limit Immigration.....	123
3.23. Agreements and Laws for Returning Migrants to Their Countries	126
3.24. Difference in Some European Countries in Laws	127
3.25. Libya's Laws Regarding Migrants.....	130
3.26. Libya's Efforts to Curb Migration	132
3.27. Voluntary Return Program for Immigrants	134

3.28. Department of Combating Illegal Immigration.....	141
3.29. The Recommendations to Combating the Illegal Immigration	
Problem	142
3.29.1. The European Union.....	142
3.29.2. Italy	144
3.29.3. Libya	144
3.29.4. Embassies of Countries of Origin.....	145
3.29.5. INGOs.....	145
3.29.6. Local Libyan NGOs.....	146
3.30. International Organizations in The Libyan Coast	148
3.31. The Refugee Problem and Serious Solution	153
3.32. The Role of Organizations in Protecting Migrants	159
3.32.1. Right to Access to Justice	160
3.32.2. Health and Shelter Right.....	161
3.32.3. Education Right	163
3.33. Libyans Opinions of Illegal Immigrants	166
CHAPTER IV	
4. THE APPLICATION OF ILLEGAL IMMIGRATION AND THE CASE OF	
LIBYAN EUROPEAN RELATIONS	169
4.1. Research Design	169
4.2. Sampling, Sample Frame and Sample Size	171
4.2.1. Sampling.....	171
4.2.2. Sample Frame	171
4.2.3. Sample Size	172
4.3. Method of Data Collection	173
4.3.1. Data Collection	173
4.4. Research Hypotheses	174
4.5. Measurement Instruments	175
4.6. Questionnaire Questions.....	175
4.7. Interview Questions	175
4.8. Data Analyses and Presentation	176
4.9. Demographic Information	177

4.10. Descriptive Information	183
4.11. Discussion	201
4.12. Findings	207
CONCLUSION	209
BIBLIOGRAPHY	219
APPENDIX	251
CV	257



LIST OF TABLES

	Page Number
Table 1.1. Number of Illegal Immigrants who Arrived in Malta and Italy by Boats, (2009-2020)	8
Table 4.1. The Gender of Immigration Staff.....	177
Table 4.2. The Age Category of the Immigration Staff	178
Table 4.3. The Educational Level of The Immigration Staff.....	180
Table 4.4. The Martial Status of The Immigration Staff.....	181
Table 4.5. The Work Experience of The Immigration Staff	182
Table 4.6. Distribution of The Participant Knowledge about Illegal Immigrants .	184
Table 4.7. Distribution on how Illegal Immigrants have Negative Effect	185
Table 4.8. The Officers of the Department of Illegal Immigrants	186
Table 4.9. The Mandate of Department to Deal with Illegal Immigrants.....	187
Table 4.10. The Need to other Departments to Deal with Illegal Immigrants.....	188
Table 4.11. The Amount of Cooperation Between Department of Combating Illegal Immigration with other Law Enforcement Agents.....	189
Table 4.12. Strategies to Cooperate with Law Enforcement Agents	190
Table 4.13. The Average of Meetings between Department of Combating Illegal Immigration with other Agents.....	190
Table 4.14. The Success of Strategies of Department of Combating Illegal Immigrants	191
Table 4.15. The Immigration Law	192
Table 4.16. The Amount of Resources of Department of Combating Illegal Immigrants	192
Table 4.17. The Economic Condition of Department of Combating Illegal Immigration	193
Table 4.18. The Financial Fund Granted by The Government to deal with Illegal Immigration Problem.....	194

Table 4.19. Problems hinder The Efforts of The Department of Combating Illegal Immigration	195
Table 4.20. The way to Fight Illegal Immigrants by The Department of Combating Illegal Immigrant.....	196
Table 4.21. The Libyan-European Cooperation to Reduce The Illegal Immigration towards Europe	197
Table 4.22. The Cooperating to Enhance The Libyan ability to Prevent Illegal Immigrants from Southern Borders	198
Table 4.23. The Cooperation between Libya and Europe to prevent the Illegal Immigrants	199
Table 4.24. The Channels between Libya and European Countries	199
Table 4.25. Support from European Countries to Develop The Libyan Patrols across Borders.....	200

LIST OF FIGURES

	Page Number
Figure 1.2. Detention Centers	9
Figure 1.3. Libya location	10
Figure 3.4. Department of Combating Illegal Immigration Rescues Migrants.....	142
Figure 4.1. The Practical Framework of The study	170
Figure 4.2. The Gender of Immigration Staff.	178
Figure 4.3. The Age Category of The Immigration Staff.	179
Figure 4.4. The Educational Level of The Immigration Staff.....	180
Figure 4.5. The Martial Status of The Immigration Staff	181
Figure 4.6. The work Experience of The Immigration Staff.....	183

LIST OF ABBREVIATIONS

AIDS	: Acquired Immune Deficiency Syndrome
CBOS	: Public Opinion Research Center
CDC	: Community Day Centre
CEN-SAD	: Community of Sahel–Saharan States
DCIM	: Directorate for Combating Illegal Migration
DCs	: Detention Centers
ECHR	: European Court of Human Rights
EMP	: European Migrant Platform
EU	: European Union
EUBAM	: European Union Border Assistance Mission
EUCAP	: European Conference on Antennas and Propagation
EUNAVFOR-MED	: European Union Naval Force Mediterranean Operation
GDP	: Gross Domestic Product UK: United Kingdom GNA
HRP	: Humanitarian Response Plan
ICC	: International Criminal Court
INGO	: International Non-Governmental Organization
IOM	: International Organization for Migration
IRCA	: Immigration Reform and Control Act
LCG	: Libyan Coast Guards
LCGN	: Libyan Government of National Accord
LGC	: Libyan Governmental Coalition
LNA	: Libyan National Army
LRC	: Libyan Red Crescent
MOAS	: Migrant Offshore Aid Station
MoFA	: Libyan Ministry of Foreign Affairs
MoU	: Memorandum of Understanding
MSF	: Doctors Without Borders
NATO	: North Atlantic Treaty Organization
NGOs	: Non-Governmental Organization

NOC	: National Oil Corporation
NR	: Non-Refoulement
OAU	: Organization of African Unity
OCHA	: Office for the Coordination of Humanitarian Affairs
OHCHR	: Office of the High Commissioner for Human Rights
UN	: United Nations
UNCRC	: United Nations Convention on the Rights of the Child
UNHCR	: United Nations Higher Commission for Refugees
UNICEF	: United Nations International Children's Emergency Fund
UNSC	: United Nations Security Council
UNSMIL	: United National Support Mission in Libya
US	: United State

ABSTRACT

THE ILLEGAL IMMIGRATION AND THE CASE OF LIBYAN-EUROPEAN RELATIONS

The study was created and conducted to analyze illegal immigration and the case of interactions between Libya and Europe. It seeks to examine the immigration and illegal immigrant issues in Libya. Mixed-method research was employed to explore, examine, and analyze field data. It utilizes questionnaires, interviews, and document review guides as data collection instruments. In addition, it utilized a sample of 414 respondents who are workers of the Libyan department charged with preventing illegal immigration. Additionally, interviews are conducted with an additional ten employees from the same department. The majority of the research was conducted in Libya using simple random sampling. According to the findings of the study, the agency tasked with combating illegal immigration encounters numerous hurdles and obstacles while dealing with illegal immigrants. In addition, it is evident that this department has a theoretical but not a practical mandate to address this issue. Therefore, the Immigration Law is deficient and requires revisions. In addition, the department lacks the resources necessary to resolve the illegal immigration issue. The research proposed that the EU support efforts for a peaceful political settlement by supporting elections in Libya to cease bloodshed and unify the country's leadership, so allowing one central authority to oversee the country's borders. In order to meet government requirements, it is also proposed that immigration policy be revised. In addition, the current immigration statute must be amended to achieve the desired result and end the illegal immigration problem.

Walid ALSUESSI, 2022

Keywords: Immigration, Illegal Immigration, Illegal Immigrants, Combating Illegal Immigration.

ÖZET

YASADIŞI GÖÇ VE LIBYA-AVRUPA İLİŞKİLERİ ÖRNEĞİ

Bu çalışma, yasadışı göçü ve Libya-Avrupa ilişkilerinin durumunu değerlendirmek amacıyla tasarlanmış ve uygulanmıştır. Çalışmanın amacı Libya'daki göç ve yasadışı göçmenlerin karşı karşıya olduğu zorlukları analiz etmektir. Çalışmada, saha verilerini keşfetmek, incelemek ve analiz etmek amacıyla karma yöntem araştırması kullanılmıştır. Veri toplama araçları olarak anket, mülakatlar ve belgesel inceleme kılavuzları esas alınmıştır. Buna ilâve olarak, 414 katılımcıdan oluşan bir örneklem kullanılmış olup, bu örneklem Libya'daki yasadışı göçle mücadele dairesinde çalışanlardan oluşmaktadır. Bununla birlikte, görüşmeler aynı dairedede çalışan on adet çalışan üzerinde de uygulanmıştır. Çalışma esas olarak Libya'da gerçekleştirilmiş olup, basit rastgele örnekleme tekniği kullanılmıştır. Çalışma sonuçları, yasadışı göçle mücadele dairesinin yasadışı göçmenlerle mücadelede birçok zorluk ve engelle karşı karşıya olduğunu ortaya koymuştur. Ayrıca, bu ofis bu konuyu ele almak için pratik değil, teorik yetki vermiş olduğu da gösterilmiştir. Bu nedenle, Göçmenlik yasasının bazı değişikliklere ihtiyaç duyan zayıflıkları mevcuttur. Dahası, bakanlık yasadışı göç sorununu çözmek açısından kaynak eksikliği ile karşı karşıyadır. Çalışma, AB'nin Libya'da şiddeti sona erdirmek ve ülke liderliğini birleştirmek için seçimleri destekleyerek barışçıl bir siyasi çözüme yönelik çabaları desteklemesini ve sınırları tek bir merkezi hükümet altında kontrol etmesini önermektedir. Bununla birlikte, hükümetin ihtiyaçlarını karşılamak için göç politikasının değiştirilmesi de önerilmektedir. Ayrıca, mevcut göç yasasının değiştirilmesi, hedefi gerçekleştirmek ve yasadışı göç sorununu sona erdirmek için göz önüne alınmalıdır.

Walid ALSUESSI, 2022

Anahtar Kelimeler: Göç, Yasadışı Göç, Yasadışı Göçmen, Yasadışı Göçle Mücadele.

INTRODUCTION

Immigration is the global movement of human beings to a destination which they aren't locals or which they don't have citizenship in an effort to settle as permanent residents. As for economic outcomes, research indicates that migration benefits both the receiving and sending countries. With rare exceptions, evidence indicates that immigration generally has positive economic effects on the local population. Nevertheless, evidence is mixed as to whether low-skilled immigration negatively affects low-skilled natives. Locations' inhabitants gravitate closer to more developed nations. Reducing barriers to labor mobility between developing and developed nations, according to development economists, could be one of the most environmentally friendly strategies for reducing poverty.

Migration continues to be the movement of individuals or groups from one geographic region to another. It has been connected to human needs since antiquity. The topic of illegal migration and displacement continues to be a worldwide phenomenon. Illegal immigration continues to be a phenomenon encountered by several major immigrant-receiving nations, one that frustrates both policymakers and the general public. There are a variety of interior enforcement measures designed to identify unauthorized immigrants for removal, such as worksite enforcement, job verification, and jail-house screening, in addition to state and local law enforcement action.

Although this phenomena has emerged as a major source of concern for the countries receiving migrants, it has also become a security concern, in addition to having an effect on the economic and social stability of these nations. When illegal immigration now goes beyond all international state borders in terms of its width and the expanding number of Africans entering Europe via Libya, it is no longer limited by international borders.

The deterioration of economic, political and social security in African nations has contributed to the growth of this phenomenon, which has become a repellent area for the mentioned residents. It offers employment and security in European nations.

North Africa has become a transit country for tens of thousands of illegal immigrants on their way to Europe's southern coast. Due to its proximity to Italy and its unstable security situation, Libya is one of the most important transit countries for immigrants. Illegal immigration to Europe via Libya has caused numerous economic, security, and health issues in Libya. Libya lacked manpower due to its migration to Europe, the presence of migrants with criminal records, and the spread of infectious diseases among African migrants.

As for European-Libyan relations, this issue has become the subject of long-term negotiations in the majority of Libyan-European meetings, as well as the fears of a number of analysts regarding the negative impact of this issue on European-Libyan ties. In spite of the recent problem of illegal immigration in the context of international relations, the interest of politicians, academics, and the general public has increased dramatically since the 1990s, when tens of thousands of Africans and Arabs traveled from the shores of Libya to the coast of Italy on ships known as death boats.

With the significant increase of African migrants to Europe, the failure of several of them to reach European shores, and mutual accusations of default between Libya and Europe, there has been a significant increase in African migrants to Europe. Due to the lack of accurate data and research on the topic of illegal immigrants from Libya, this issue has attracted the attention of a number of concerned parties. With my proximity to the immigrants and my daily interactions with them, I was close to comprehending the reasons for their daring voyage across the ocean to Europe. Consequently, this issue has become the focus of this research and the title of this study.

CHAPTER I

1. CONCEPTUAL FRAMEWORK FOR MIGRATION

1.1. Background of Immigration

Human movement is a critical characteristic of today which has interconnected global. Integrated global markets, the emergence of transnational networks and the speedy boom of communiqué technology all make a contribution to the growing motion of workers, students, trainees, households and travelers and additionally the growing of abnormal migrants. Researchers have discovered that globalization is crucial to the growing international human motion, Further analyses however, imply local populace dynamics had been a vital a part of extra trendy political and financial transformations. In November (2002), the Council considered it essential to initiate co-operation with Libya on migration. An exploratory mission was then conducted by the Commission in Libya in May 2003, and concluded that Libyan authorities were highly interested in co-operating with the EU on illegal immigration (European Commission, 2004, p.19).

According to European Commission migration streams within Africa are much larger than those out of Africa especially Libya, and forced migration plays a significant part. African nations, already struggling to provide for their own populations where it harbors about one-third (three million) of the world's refugees. (Achtnich, 2021, p. 25). Terms of Reference had been organized in 2003 with the aid of using the Commission offerings with EU Member States and the Libyan government for comply with up technical challenge. However, the Council asked on the time the postponement of the challenge because of unresolved bilateral troubles. Libya is a Neighborhood country, however has presently no formal members of the family with the EU (European Commission, 2004, p. 33). While the long-time period goal of EU Policy closer to Libya stays her complete accession to this process, the Council of (11/Oct /2004) determined to embark upon coverage of engagement with

this country. The Council lifted the hands embargo, and determined that the technical challenge on unlawful immigration have to be carried out as quickly as feasible with the aid of using the Commission with the participation of specialists from Member States. The challenge, that's the primary attempt of the EU to interact with the Libyan government on unlawful immigration, turned into carried out among (27/Nov and 6 / Dec /2004) (European Commission, 2004, p. 37). The targets described within side the Terms of Reference for this challenge are wide such as;

- To get in-intensity information of migration associated troubles in Libya.
- To perceive concrete measures for feasible balanced EU-Libyan cooperation mainly on unlawful immigration. Another key goal turned into to give an explanation for EU coverage on migration to the Libyan Authorities The challenge turned into capable of acquire a great information of the difficulty of unlawful immigration. It turned into thoroughly obtained with the aid of using the Libyan government, at excessive level, and regular efforts had been made with the aid of using them to satisfy its requests (European Commission, 2004, p. 64). The commencing consultation of the challenge turned into an essential possibility for each the Commission and Libya to introduce their coverage on migration and to accumulate mutual information on migration associated troubles.

General evaluation of migration flows and guidelines Libya's populace is presently about 6.5 million inhabitants. At the same time as unlawful immigrants are predicted to range among 750,000 and 1.2 million. The Libyan government comprehends that flows inside and outside of Libya are poorly managed and now no longer properly known. It is predicted that every year, among 75,000 and 100,000 foreigners enter Libya. It is unquestionable that Libya is a destination country. Migration towards Libya is the result of a combination of factors: geographic (location of Libya, permeable borders), economic (Libya is an economic pole of attraction), political (negative effects of an open-door policy in particular towards sub-Saharan Africa), and administrative (lack of a global strategy on migration and

border management). But Libya has now also emerged as a major transit country towards Europe for illegal immigrants. According to available data, the recent trend shows a sharp rise in illegal immigration through the Sicily Channel and strengthening of the Libyan transit route (European Commission, 2004, p. 42).

Libya is not participating fully in the Barcelona process, and has no formal relations with the EU. While the long-term objective of the EU Policy towards Libya remains her full alignment to this process, the Council of (11/ Oct/ 2004) decided to embark upon a policy of engagement with this country. In this context, the Council lifted the arms embargo in effect since (1986) (European Commission, 2004, p. 11). The Council also recalled its conclusions of November 2002 that co-operation with Libya on migration was essential and urgent, and decided that the technical mission to Libya on illegal immigration should be conducted as soon as possible on the basis of Terms of Reference developed in 2003. The (Oct/1999) European Council recognized the need to establish a comprehensive approach to migration addressing political, development and human rights issues in countries of origin and transit (European Commission, 2004, p.13).

Partnership aimed toward green control of migration flows with 1/3 nations changed into recognized as a key detail for the fulfillment of any such coverage. The (June/2002) Seville European Council similarly underlined the significance of stepping up cooperation with 1/3 nations in handling migration flows, consisting of the prevention and fighting of unlawful immigration and trafficking in human beings. Migration problems have additionally been recognized through the Council in November 2002 as a depend of excessive hobby and Libya changed into the various nations for which it changed into taken into consideration important to provoke cooperation. On this basis, the Commission offerings performed a primary exploratory assignment to Libya in May (2003) (European Commission, 2004, p. 42), and assessed that Libyan Authorities have been notably interested by attractive with the EU on unlawful immigration.

Terms of Reference have been then cautiously organized through the Commission with EU Member States and the Libyan Authorities for a technical assignment, following vital preparatory paintings in (2003). Despite the growing

migration strain thru Libya, the Council asked on the time the postponement of the assignment because of unresolved bilateral problems. The important targets described within side the Terms of Reference for these assignments are wide: to get an in-depth expertise of migration-associated problems in Libya; to become aware of concrete measures for viable balanced EU-Libyan cooperation especially on unlawful immigration. Another key goal changed into to give an explanation for EU coverage on migration to Libyan authorities. Libya has come to be a key EU as regards unlawful immigration, that's concern vicinity for cooperation within side the Mediterranean region. There is an acknowledged want for intensified co-operation on all elements of unlawful immigration, the combat towards human trafficking and associated networks, border control and migration-associated potential building. Libya has expressed her clean goal to cooperate with the EU (European Commission, 2004, p. 367).

1.2. Impact of Undocumented Immigrants

The economic consequences of undocumented immigrants are scant, on the opposite hand, current research indicates that the consequences are nice for the local populace (Light et al., 2020, pp. 43-67), and public coffers (Durell, 2018, pp. 72-87). Increasing deportation quotes and tightening border manipulate weakens low-professional exertions markets, growing unemployment of local low-professional workers (Zhang, 2021, p 37). Legalization, instead, decreases the unemployment fee of low-professional natives and will increase earnings in line with local (Yao et al., 2021, p. 45). Legalization of undocumented immigrants might enhance the U.S. economy; a 2013 examine determined that granting prison repute to undocumented immigrants might boost their earning with the aid of using 25% which has been accelerated U.S. GDP thru approximately \$1.4 trillion over a ten-year period (Kaushal, 2019, pp. 54-82), and legalization might boom the monetary contribution of the unauthorized populace with the aid of using approximately 20%, to 3.6% of private-area GDP (Sugiarti et al., 2021, pp. 33-67).

National Bureau of that undocumented immigrants to the US "generate better surplus for US corporations relative to natives, therefore limiting their access has a

miserable impact on activity introduction and, in turn, on local exertions markets (Chassamboulli and Peri, 2020, pp. 87).

Figure 1.1: Undocumented Immigrants Arrested by The Libyan Department for Combating Illegal Immigration



Source: Made for Minds, 2022.

In the US Immigration Reform and Control Act changed into handed to assist cast off the unlawful aliens (Rozhkov et al., 2021, p. 12); (Cengiz and Tekgüç, 2021 p.33). To do that through granting prison repute or through implementing consequences towards the employers who could knowingly paintings unlawful immigrants (Gleeson and Griffith, 2021, p. 68).

On the opposite hand, IRCA did now no longer cope with the truth or rate which induced an trouble within side the undertaking of the objectives (Bean and Khuu, 2020, pp. 112-168). A take a look at of the World Bank (2016) indicated that round 25% of the World's sixty million displaced folks are Africans. The African and Arab unlawful immigrants use North African nations as a transit place to Europe.

Malta, Greece, Spain, Italy, and Greek Cyprus are the maximum appealing locations for unlawful immigrants through sea. If Malta is sharing different European's burden of unlawful immigrants and refugees; thus, what's the problem?

The Maltese functionality to host abnormal immigrants is because of its low populace density, cultural distinctiveness, and financial crisis.

Illegal immigration displays a actual hazard to the country wide protection of Malta, Libya, and different Mediterranean nations, e.g., Italy and Spain. Thus, this study aims to explore, describe, analyze, and compare illegal immigration from different angles.

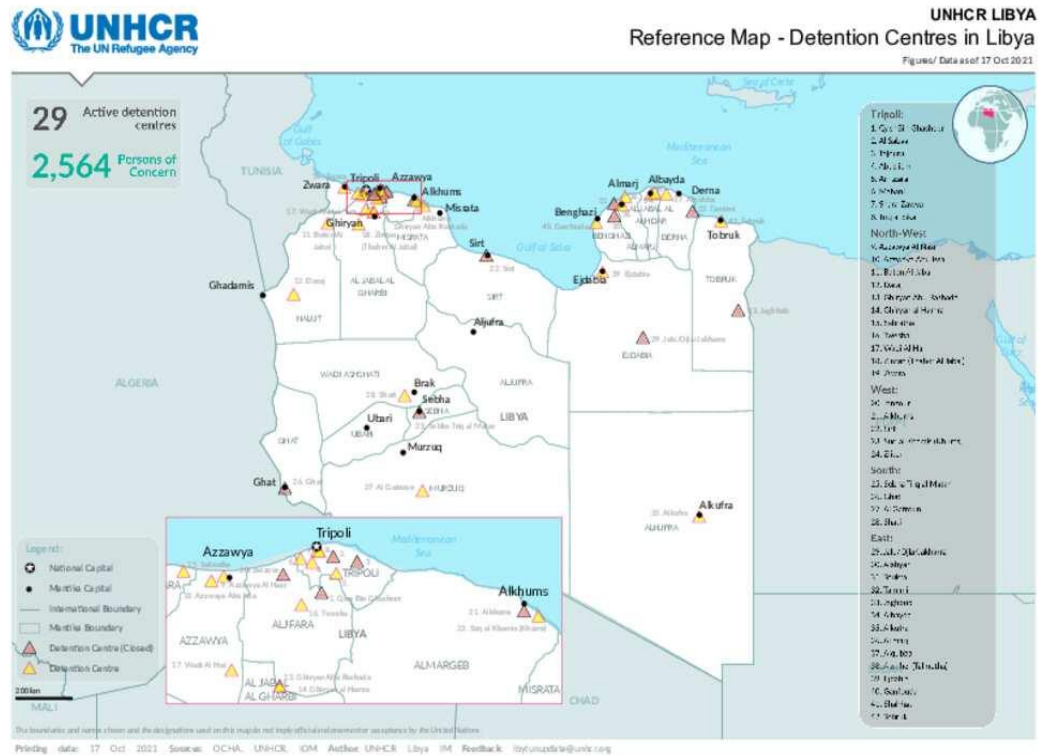
Table 1.1. Number of Illegal Immigrants who arrived in Malta and Italy by Boats, (2009-2020)

Year	Malta	Italy
2009	1475	19090
2010	47	12121
2011	1579	37350
2012	1890	17352
2013	2008	26620
2014	568	63456
2015	104	83970
2016	25	123600
2017	23	130119
2018	1445	53596
2019	3406	43783
2020	3400	11500

Source: The UN Refuges Agency, 2020

In this regard, three main questions may be asked: Is an individual state, e.g., Malta, able to combat irregular immigration alone? Why did Malta and Libya conclude a bilateral and not a multilateral agreement to combat illegal immigration? And what is the impact of the Memorandum of Understanding “MoU” on the Libyan-Maltese international relations? This study assumes that the MoU is expecting to enhance the bilateral relations between Malta and Libya. Although every country has the right to develop legislation that encourages the expertise and skills it needs to migrate to it, and specific strategies to attract them openly and openly many of them learned and acquired skills at the expense of their countries of origin yet the authorities of some countries, especially the countries of the southern Mediterranean, turn a blind eye to the inhumane conditions in which they live, suffered by irregular migrants who arrive in these countries.

Figure 1.1. Detention Centers



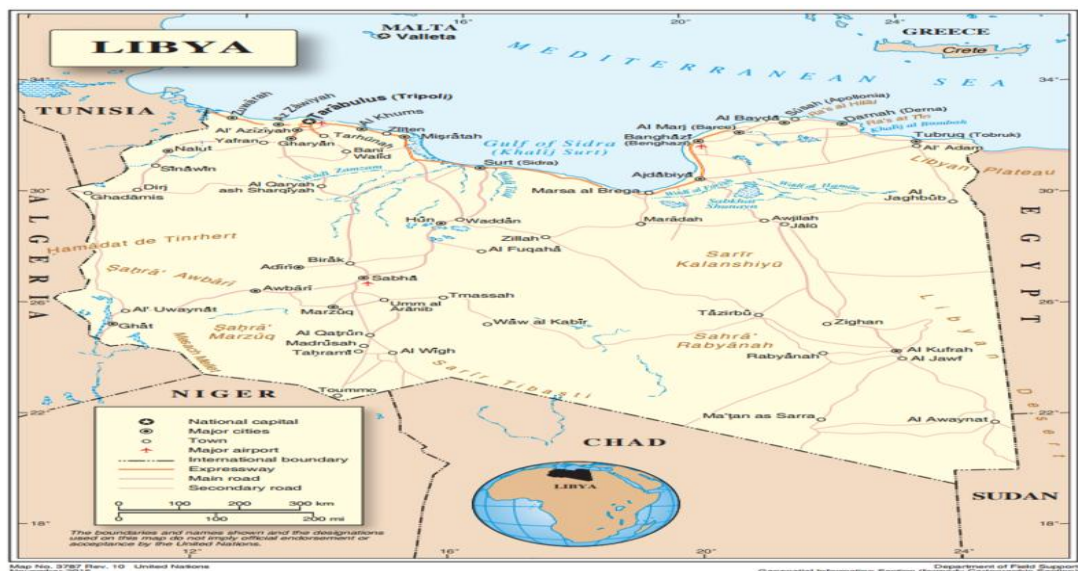
Source: The UN Refugee Agency (UNHCR), 2021

In Augusts of 2018, Libya is notoriously perilous for refugees, asylum seekers, and migrants, who often suffer a litany of abuses, including at the country's numerous detention facilities. Conditions at these facilities, many of which are under the control of militias, are deplorable. There are frequent shortages of water and food; overcrowding is endemic; detainees can experience physical mistreatment and torture; forced labor and slavery are rife, and there is a stark absence of oversight and regulation. Nevertheless, Italy and the European Union continue to strike controversial migration control deals with various actors in Libya aimed at reducing flows across the Mediterranean. These arrangements include equipping Libyan forces to "rescue" intercepted migrants and refugees at sea, investing in detention centers, and paying militias to control migration.

1.3. Libya Location

Libya is fourth in length a number of the nations of Africa and 16th a number of the nations of the world. It is at the Mediterranean among Egypt in addition to Tunisia, with Niger and Chad to the south and Sudan to the southeast (Lemamsha et al., 2019, pp.123); (Capasso et al., 2019, pp. 112-168). Although the oil discoveries of the (1960s) have added tremendous wealth, on the time of its independence it changed into an exceedingly terrible barren region kingdom whose handiest vital physical (Nwaogu, 2018, p. 78) asset regarded to be its strategic vicinity on the midpoint of Africa's northern rim (Oduntan, 2019 p.46). Libya lay inside smooth attain of the most important European countries and connected the Arab nations of North Africa with the ones of the Middle East (Schroth, 2020, p. 36), data that all through records had made its city centres bustling crossroads in place of remoted backwaters without outside social influences (Maher and Carruthers, 2021, p. 68). Consequently, an incredible social hole advanced among the cities, cosmopolitan and peopled in large part with the aid of using foreigners, in addition to the barren region hinterland, in which tribal chieftains dominated in isolation and in which social extrude changed into minimal (Gascon et al., 2018, p.98).

Figure 1.2. Libya location



Source: United Nation Support Mission in Libya, 2015.

The Mediterranean Coast additionally the Sahara Desert stay the countries maximum outstanding herbal features (Mahklouf and Etayeb, 2018, p.31). There are numerous highlands, on the opposite hand, no authentic mountain tiers besides within side the in large part empty southern wilderness close to the Chadian border (Go et al., 2022, p.36), wherein the Tibesti Massif rises to over 2,2 hundred meters (Remini, 2021, p. 41).

A distinctly slender coastal strip additionally highland steppes straight away south of it are the maximum effective agricultural regions (Braun et al., 2020, p.3); (Remini, 2021, p.37); (Mahklouf and Etayeb, 2018, p.22). Still farther south, a pastoral area of sparse grassland offers manner closer to the full-size Sahara Desert, a barren wilderness of rocky plateaus and sand (Mahklouf and Etayeb, 2018, p.43). It helps minimum human habitation, and agriculture is feasible simplest in some scattered oases (Remini, 2021, p.15); (Mahklouf and Etayeb, 2018, p.68).

1.4. Research Problem

Illegal immigration is considered a threat by many countries and is a growing problem today. Increased migration leads to an increase in demand for products and services (Hassan, 2014, p.3). Causes of illegal immigration are usually war, poor social or living conditions, and the unavailability of legal and moderately paying jobs in corrupt and poverty-stricken countries. Many of these extralegal sectors exist and are growing rapidly because governments are incapable of efficiently punishing or reducing such groups (Hassan, 2014, p.3).

Libya and Europe are facing an uphill task to contain a growing wave of illegal aliens from some African countries such as Ethiopia and lawless Somalia transiting the East African countries to greener pastures in Libya and possibly as a detour to Europe. Despite the efforts taken by immigration department to deal with illegal Immigrants, most of the time such effort fails because some local people do support these illegal Immigrants, they know where to hide them and assist them to get-out from the country (Made for Minds, 2022, p.9).

Libya is a country bordering the Mediterranean, a link between southern European countries and African countries. With the political chaos in Libya and

instability, the southern border of Libya is open to massive human migration of African nationality; migrants settle in Libya for several months as well as years and then migrate to Europe via death boats, especially to southern Italy, affecting transit countries, for instance, Libya and Italy as a state. Destination, as well as its negative impact on the relationship with the EU as well as with various accusations from the Libyan and European sides that there is no seriousness in stopping migrants by sea. Conflicts and mistrust have become prevalent in Libyan-European relations.

Under the new European measures to limit the transit of migrants from Libya towards the other side of the Mediterranean, migrants continue to flow interested in Libyan territory from neighboring African countries. These migrants, estimated to number one million migrants, are stranded in Libya (Qassem, 2018, p.17). For its part, the Libyan authorities have been unable to control the situation and provide the necessary resources to deal with this crisis as well as the fear of several local organizations of the spread of chronic diseases.

United Nations reports revealed that human trafficking is increasing in Libya with major human rights violations. In addition, international experts are concerned that armed groups and traffickers can use state facilities and funds to strengthen their control over migration routes. Where smuggling has become a source of wealth for smugglers in Libya (Perrin, 2019, p.19). While people argue for troubles caused by illegal immigrants in Libya and the effort taken by Immigration Department in Libya to eradicate the problem of illegal immigrants, the department faces many challenges to eliminate the problem.

However, in all the studies which have been conducted in Libya with regard to the troubles caused by illegal immigrants, no adequate attention has been given to the challenges facing the Immigration Department and illegal immigrants. Lack of such information create knowledge gap that should be filled in line with those challenges. Therefore, the proposed study intends to analyses the challenges facing Libya Immigration Department in dealing with illegal immigrants.

1.5. Aims and Objectives

The main objective of this research is to shed light on the phenomenon of illegal migration of Africans through Libya to the EU countries and their negative effects on the relations between Libya and European countries.

- To understand the mandate given to the department of combating illegal immigration to deal with illegal immigrants.
- To understand the weight of department of combating illegal immigration.
- To examine whether the department of combating illegal immigration has sufficient fund to deal with illegal immigrants.

1.6. Research Questions

- **RQ1:** What is the mandate given Department of Combating Illegal Immigration in dealing with illegal immigrants?
- **RQ2:** What is the weight of Department of Combating Illegal Immigration in combating illegal immigrants?
- **RQ3:** Does Department of Combating Illegal Immigration have sufficient fund for dealing with illegal immigrants?

1.7. The Significance of the Study

The study will provide a clear picture of the challenges facing the Department of Combating Illegal Immigration in Libya. And It focuses on finding solutions to these challenges and gives recommendations to end the phenomenon of illegal immigration in Libya. The importance of the study lies in several important points. Identify the main reason behind the illegal migration of Africans across Libya to southern Europe. As well as through identifying the reasons that led those to leave their homelands and to identify the aspects of generosity that made them prefer to cross Libya by land and immigration to Europe by boats. The growing size of the phenomenon of illegal immigration since the end of the (1990s) has been a source of concern for European countries, which has negatively affected the economies of these countries.

The relations between Europe and Libya have been greatly affected by the increase in the number of migrants through the Libyan coast, which indicates the complexity of the relationship between Libya and the European neighbors which requires the study, treatment and joint planning to find appropriate solutions. The phenomenon of illegal immigration is a pivotal issue between European countries and transit countries, for example, for instance, Libya, leading to the deterioration of relations between Libya and Europe. Therefore, this study is important to analyze these negative results that affect the political and economic relations of all parties.

1.8. Limitations of the Research

This study is limited to the issue of illegal immigration from African countries through Libya to Europe and its social, economic as well as political repercussions on relations amongst Libya and the European Union since the development of this phenomenon from the (1990s) until the present day. Especially in the period after the Arab Spring after (2011) which is marked via years of anarchy in Libya. As this period witnessed a situation of instability in Libya as well as the flow of huge numbers of Africans across the southern border of Libya which is associated with Europe. The spatial boundaries are represented in the Libyan state geographically.

1.9. Definitions of the Keywords

Illegal Immigration: is termed as the migration of people into a country in violation of the immigration (Lee and Park, 2022, p.13); (Facchini and Testa, 2021, p.13) laws of that country as well as the continued residence without the legal right towards live in that country (Lee and Park, 2022, p.3); (Facchini and Testa, 2021); (Lange, 2019, p.16). Illegal immigration tends to be financially upward, from poorer to richer countries (Lange, 2019, p.16).

Libyan-European relations: The European Union cooperates closely with the United Nations and actively participates in the UN-led Berlin Process for Libya with the aim of restoring peace and stability throughout the country. The European Union fully supports the Libyan Political Dialogue Forum and the Libyan-led political process, and is in constant dialogue with The United Nations and the Libyan

Government of National Unity on the best ways to support the process of preparing for the general elections. The European Union works with the High National Electoral Commission and the Central Committee for Municipal Council Elections with the aim of helping to build institutional capacities in preparing and organizing credible elections. EU support to Libya on migration focuses on programs that facilitate access to basic services, support to host communities by providing employment opportunities for both locals and migrants, and assistance and protection for vulnerable migrants. It also aims to help improve conditions for migrants and refugees at points of disembarkation and in detention centers, as well as assist in the voluntary return of migrants to their countries of origin and support the evacuation of those in need of international protection. Two missions were established under the CDSDP, the European Union Border Assistance Mission (EUBAM), and EUBAM And the operation of the European Union Naval Forces in the Mediterranean - Operation IRINI, and their powers are related to immigration matters. The European Union Border Assistance Mission in Libya (EUBAM) was established in May 2013 as an integrated border management mission. After making the amendments, its current goal is to have a civilian mission in capacity building, assistance and crisis management in the field of security sector reform with a focus on police, criminal justice, border security and immigration.

The EUNAV-Mediterranean Operation Irini (meaning “peace” in Greek) was launched on 31 March 2020 with the primary mission of supporting the implementation of the UN arms embargo on Libya and supporting the oil regime established by the UN for Libya with the aim of preserving this resource for all Libyans. As a secondary mission, Operation IRINI also contributes to disrupting the business model of human smuggling and trafficking networks through intelligence gathering and aircraft patrolling.

CHAPTER II

2. THEORETICAL FRAMEWORK FOR MIGRATION

At this chapter, we will review the theoretical and experimental literature associate with the topic of the study. We will discuss the following topics: the immigration, migrant, legal immigrant, challenges of illegal immigration, migration networks theory, push and pull factors theory, critics of the theory, the forces for illegal immigrant, threat of illegal immigrant and many related concepts

2.1. Theoretical Review

The theory is a set of associated concepts which construct methodological vision of phenomenon to explain, describe and control this phenomenon (Hassan, 2014, p.3; Colin & Julie, 2005, p.13).

2.1.1. Immigration / Migrant

Immigration is a process to enter and live in another country permanently (Dagne, 2010, p.21). It is conducted for many reasons including poverty, family re-unification, economic, natural disaster, breeding, political or the desire to change the surrounding in the individual voluntarily.

It denotes to the person who moves voluntarily and for personal reasons from his original place to specific destination to establish residence without enforce to do so. This definition includes the persons who move regularly and in organized way without having official papers and valid passport with a visa or work permission or residence (Price & Fellas, 2008; chirwa, 1998, p.19). As well as, it will emphases on the voluntarily nature of the movement.

Migrants' rights, particularly their right to life and the right to be free from torture and other forms of inhuman or degrading treatment or punishment, have been

emphasized by international legislation, protocols, and its requirements, which are represented by international law and international humanitarian law. To the extent that smuggling puts migrants' lives or safety in danger, adequate help must be given. Each state party shall uphold its international duties under the Vienna Convention on Consular Relations to inform the person in question as soon as possible of the rules relating to the notification and communication of consular officials in the event that smuggled migrants are detained, article 16 of the Protocol against the Smuggling of Migrants, 0222.

2.1.2. Legal/Illegal Migration

The legal immigrant is defined as a person who comes to different country than his original country who holds its nationality by the legal affairs worked in the targeted country (Nkhoma, 2014, p.22; Düvell, 2009, p.29). The legal immigrant in Libya is any person who enters Libya and introduces himself to the immigration officer, complete and sign specific model to announce when enter. He holds a valid passport and visa.

The illegal immigrant is defined by The International Organization of Migration (IOM) as a person who lacks the legal situation in the transit country or host country because of unauthorized entry or breaches the entry conditions or his visa validity is finished. The definition includes, between other issues, persons who entered the transit country or host country illegally but they stayed longer than the authorized duration or joined later in unauthorized job and they are called secret immigrant or illegal immigrant (Chemun, 2012, p.36). In Libya, people become illegal immigrants by one of the following three methods: by entering without permission or inspection, stay after the authorized period or violate the legal entry conditions.

The issue of illegal immigrants is a major challenge for the Libyan authorities where this challenge is difficult thing which requires high efforts and insistence. The challenge is not just a problem but it has wide meanings. In general, we classify these difficulties as worthy mentioned complications and can be overcome. The challenge

is the difficulty which bears an opportunity inside to develop. When we success on the challenge, we rise to higher level than before (Knatterud et al., 1998, p.39).

2.2. Migration Networks Theory

Massey and Arango (1993, p.89) clarify the immigration network as interaction between the person and his family or friends who live far than their original country. The associations cover the exchange of information, economic assistance and help each other to search about job. Some unofficial networks allow immigrants to finance their trip or find a job or even residence. Others are more difficult and use the recruiters by companies or criminal networks of persons who work as smugglers. Smugglers help immigrants across borders to travel illegally. The problem of extent which enables immigrants to travel was the axis of studies since Ravenstein's Law of Migration, who recognized the importance of distance as a factor of immigration (Hanson, 2007, p.29).

It studies one of the basic jobs about the immigration and distance the movement of population from one city to another. Zipf, tried to explain the immigration from cities to cities by concept with less effort. The theory of Zipf, states that number of immigrants is a function on distance which separate between cities because the required efforts and cost to cover the distance are larger, they will be increased with the increase of distance traveled. Conventionally, geographers realize that the friction of distance work on the movement of human which means that the frequency of these movement decreased with the increase of distance. This relationship is known as the decrease of distance or the reverse relationships of distance Theories of migration (Dagne, 2010, p.36).

2.3. Push and Pull Factors Theory

One of the immigration theories distinguishes between push and pull. The push factors refer to the motivation of immigration from the home country. In case of economic immigration (the immigration is usually done due to labor issues), the differences in the average of wages are usual. If the value of wages is exceeded in the

new country than the wages in the home country, the immigration may be selected whenever the costs are not high. In the nineteenth century, the economic expansion in the United States led to increase the flow of immigrants. In fact, about 20% of the population were born abroad in exchange with 10% who born in the United States. This constitutes high percentage of workforce. Poor individual of less development can enjoy by higher levels of living in developed countries than in their home countries.

On other hand, the cost of immigration which include each of the explicit costs, price of tickets and implicit cost, work time lost, losing the societal associations play a significant role to attract immigrants far from their home country. With the development of technology, the time and cost of travel have been decreased between the eightieth and ninetieth century. The travel time across the Atlantic Ocean was consuming about five weeks in the eightieth century but until recent time, it consumes about 8 days only. When the cost of the alternative opportunity is less, the averages of immigration tend to increase. Escape from poverty (personally or relative staying behind) is a motivation factor and the availability of jobs is the associated attraction factor. Natural disasters may increase the flow of immigration motivated by poverty (Yang, 2012, p.62).

2.4. Critics of the Theory

These two theories are more general to explain the challenges of illegal immigrants because they neglect the other factors which may affect the immigration of people and the associated challenges (Suro, 2005, p26). These factors may surround between social, economic, technological, environmental and legal factors. Generally, the theory does not reflect the African environment and Libyan specifically. Consequently, at this direction, the theory cannot provide adequate interpretation to the phenomenon which the study tries to highlight. Since African countries have many problems, it is unfair to reduce the motives behind migration, especially from Africa, to these two theories. The motives for emigration may be due to fleeing epidemics or wars, and not only emigration for a better life, as everyone thinks.

2.5. Relevance of Literature

2.5.1. The Forces for Illegal Immigrant.

Illegal immigrants usually have more motivation factors than the attraction factors. The historical directions refer that they tend to move because of the difficult circumstances in their home country. Therefore, they are enforced to leave. The attraction factors in case of illegal immigrants will be upgrade to their deteriorated life (Hassan, 2014, p.61). There are push factors pull factors. The former refers to reasons that force people to leave a particular country while the latter refers to factors that inform the migrants' choice of destination. There are three major push and pull factors. At the following steps, we will explain some reasons of illegal immigrant to the developed countries.

Sociopolitical factors are push factors. Persecution is a key sociopolitical factor causing migration. When is persecuted for his/her religion, race, ethnicity or politics, they tend to migrate to become humanitarian refugees. While these migrants initially are likely to seek safety in neighboring countries, eventually they opt to move to more developed countries that are democratic and where human rights are cherished. In particular, political dissidents and persecuted persons take these last factors into consideration to avoid behind extradited to their countries.

2.5.1.1. Financial Inducements

The illegal immigration is generally happened to the countries with developed economic situation than the countries with less economic development. Immigrants feel by higher value of life, work opportunities and thus, they choose to immigrate to a country with higher opportunities. In the analysis of cost and benefit, when the advantages and opportunity of success are higher than the costs, as any other crime, people immigrate illegally. The costs may be high to leave their families behind and high risks to be arrested and deported. The good features are better wages and enhance the living conditions but what really motivates them is the possibility of amnesty. This amnesty legalizes the immigrants and the citizenship for future children is also available. Immigrants, as the case with social and economic factors,

emigrate from less developed countries to higher developed countries (Chemun, 2012, p.35; Muguti, 2016, p.26).

Most of the times, the preferred countries for irregular migrants tend to be Western countries. This is because of the higher chances of getting employment, citizenship or permanent residence, and higher standards of living. Moreover, the democratic records of most Western countries and the social welfare system have also been key factors attracting migrants. This has created what is referred to as economic migration where migrants choose to migrate to a country for its high labour standards, higher wages, better chances of getting employed, etc. If these expectations are not matched, most migrants are likely migrating again to other countries with better economic potential.

2.5.1.2. International Trade

Currently, many countries in the process of globalization or they already live in globalization. The result of globalization is the relationship between countries. This opens the commercial opportunities and the local and global markets are opened because of globalization. However, freedom of commerce hurt the local farmers and unskilled workers. So, those people tend to illegal immigration to different countries with decreasing the demand on unskilled workers. Those immigrants search about job and good living conditions (Chemun, 2012, p.22).

Because of the migration of labor and farmers, circular migration or temporary migration was introduced, and the idea behind it is to enable the migrant labor to return to the country of origin, while preserving the possibility of returning again to the receiving country, and thus, creating a kind of circular movement in the movement of this hand Migrant worker between the country of origin to the country of reception and vice versa, by providing thoughtful employment conditions that allow protection of workers' rights throughout the migration period. The countries of origin see the circular migration process as a means to avoid the permanent and final migration of brains or specialized labor, and they consider it as a way to allow these forces to go abroad, develop their professional and knowledge skills, and return again to the country of origin, where their people and relatives remained. With the

return of this workforce, its skills and experience are employed anew in the country of origin.

2.5.1.3. Civil or International Wars

Illegal immigration may happen because of civil wars or any cruelty in specific country. These factors are always non-financial and include killing, oppression, intimidation, exploitation and through the war. The flow of refugees may include political struggle and when undesired dictator comes to the power (Chemun, 2012, p.66). For the case of Africa in particular, a number of states disintegrated into civil war after the end of the Cold War. Examples include Rwanda, Somalia, Sudan and Ethiopia to mention a few. These countries have become some of the world's largest refugee-producing countries as desperate citizens massively fled war and persecution in search for better and safer places. Since the 9/11 terrorist attacks, terrorism has also spread across many parts of the world and some countries in the Middle East and Africa have seen strong presence of terrorists who have killed and continue to kill many civilians. In some countries like Nigeria, Mali and Somalia, terrorist groups control large swaths of lands displacing local communities and enforcing strict religious form of ruling that has forced many to migrate to safer countries.

2.5.1.4. Poverty

While the economic models look to the fortune and partial income between the home and destination country, it does not mean in necessity that illegal immigrants are always poor with the standards of the home country. The poorest classes of people may lack to the necessary resources to make illegal transition or the association with family and friends which exist in the destination country (Suro and Roberto, 2005, p.46). In their quest to escape poverty, many in the less developed world have over the years attempted to undertake perilous journeys towards Europe, North America, and Australia in hope of finding a more dignified life.

The escalation of the phenomenon of illegal immigration in the Arab world and Africa is a reflection of the very bad situation in some countries, where the climate has become expelling for many young people in light of their poverty and

unemployment; As well as a tense and unstable political climate; What made despair and fear of the future possess a large number of citizens, especially young people, and for this reason, there are many attempts to escape from this mysterious future; By searching for alternatives for them to get a better life, it represents in itself a source of danger to them, such as illegal immigration, for which many pay the price for their lives by drowning in the sea.

According to what was announced by the European Organization for Border Control (Frontex) of the European Union, the proportion of illegal immigrants coming to the European Union has increased by 250% since the beginning of 2015, compared to the same period in 2014. The number of countries exporting illegal immigrants reached 40, and the organization considered that the continent of Africa and the continent of Asia are a source of illegal immigration; where they are clearly spread in Syria, Iraq, Egypt, Tunisia, Libya, Yemen and Morocco, and the main reason for these immigrants is poverty and wars. Considering that Italy is the closest and most preferred destination for illegal immigrants from which they go to the rest of Europe

2.5.1.5. Overpopulation

The growths of population which exceed the carrying capacity for specific environment or region led to increase the number of populations. The spikes in number of populations may cause problems such as pollution and crisis of water and poverty. So, people found that increasing the number of populations is considered a critical problem because of lack of resources and they found a way to escape and leave their home country (Kirby, 2001, p. 37). This has worsened with the increasing impact of climate change as droughts have become increasingly recurrent killing herds of livestock and impoverishing thousands of people. This has contributed to increase in the number of irregular migrations. As such, the environment has always been a cause of migration. Many people across the world face natural disasters, such as floods, droughts, and earthquakes forcing people to migrate.

2.6. Threat of Illegal Immigrant

The problems of illegal immigrants were a topic for academic discussion. Conventionally, it has been said that immigration must not be considered a national threat if it is managed correctly and orderly as the argument says that immigration is useful for sending and receiving country and also the immigrants themselves (Collins, 2018, p.8). Through the immigration, the sending countries get on exchange and income and mitigate the burden of high labor and be able to promote the international commerce. From another hand, the receiving countries get benefit from the experience of immigration for its national development (Chamunorwa & Mlambo, 2014, p.65). Illegal immigration has influences on environment, social, economic and political sides of the host country and specifically its effect on labor market (Chirwa, 1998, p.89).

Far-right groups have increasingly used anti-migrant rhetoric to seek to win in elections across Europe. Such groups claim that migrants seek to conquer their land and eradicate their race. Muslims have been particularly targeted for seeking to 'Islamize' the West. With the economic crisis of the 2008/2009 and the ensuing financial crisis following the outbreak of COVID-19, these groups have gained momentum hence increasing anti-immigration.

2.6.1. Migrants Tend to Rob Natives of Their Employment Opportunities

The immigrants are looked as cheap working source and preferred by shareholders more than their peers. The negative impacts of immigration on wages and the results of employing the local labor is one of the political interests in general discussion about the immigration (Düvell, 2009, p.5). Moreover, the local labor may be displaced by the immigrants because of increasing the reallocation, unemployment and decreasing expenses. The immigrant labors decrease the wages and worsen the working conditions and increase the lack of functional security in the host country. The composition of skilled workforce may be changed because of increasing the immigration (Drinkwater et al, 2003, p.6).

Contrary to the usual fear that refugees will take away indigenous jobs, destroy the economy and place a burden on taxpayers, the evidence suggests that

they are more likely to create jobs than other immigrant groups or native-born citizens. A research paper by the United Nations High Commissioner for Refugees (UNHCR) concluded that there is a significant economic and social impact of refugees on developing host countries, while asylum has resulted in environmental degradation, increased pressure on natural and local resources, services and security problems; it is also observed that refugees contribute to local economies. More when they are given the opportunity to become productive members of society.

2.6.2. Immigration Leads to Brain Drain and Labor Depletion in the Sending Country

It is mentioned that losing of employees may expand the gap of development between the origin and destination country by slowing the Gross Domestic Product in the first country, the home country tends to loss people with rare skills and also the more effective age category with bad consequences on development in the sending country. Brain immigration delays the economic development in the sending country of labor (Drinkwater et al, 2003, p.15).

Among the main negatives left by the brain drain the great financial loss represented by the national resources that were spent in order to educate the competencies before their emigration. Obstructing intellectual and educational development in the country from which competencies migrate, affecting development processes, and increasing tasks and burdens on the remaining individuals, which may lead to their apathy, a feeling of exhaustion, and low productivity. The loss of a large proportion of the productive forces in various fields, which negatively affects the economy of the country from which the brains migrate; As a result of the loss of scholars and specialists in these fields.

2.6.3. Transnational Crime

This is the situation where illegal immigrants start to join in criminal activities including armed robbery, human smuggling, money laundering, corruption, human trafficking, drug trafficking and terrorism (Vayrynen, 2005, p.19). Terrorism

in the West in particular has been associated with migrants. Various incidents of lone wolf attacks in Germany, UK and France among others have reportedly been carried out by newly arrived migrants further fueling anti-immigrant rhetoric.

European sources recently revealed that the number of immigrants suspected of committing crimes in Europe has increased by a large percentage. Many experts suggested that unskilled migrants are more likely to engage in crime. With fewer jobs, especially the first months, running out of money, and poor living conditions, such as overcrowding in shelters and sharing crowded rooms, migrants' resort to theft and entry with drug sales networks as a last resort. In Europe these criminal activities within European societies have significant negative repercussions on the acceptance of immigrants by Europeans, especially from Middle Eastern countries, who were often accused of terrorism and extremism, and this was evident when the popularity of right-wing parties refused to settle immigrants. These statistics reinforce support for anti-political parties that accept immigrants.

2.6.4. Societal Disruption

This occurs when illegal immigrants instead of adopting the cultural standards of the host country choose to constitute cultural, linguistic and religious minority inside the host country by changing the social mode and the strength of the society (Montanaro, 2020, p.165). Again, Islamization is a good example of this. In some countries like UK, diaspora communities of different ethnicities are known for their preservation of culture and religion and for settling in certain neighborhoods which have consequently led to accusation of lack of integration. French President Emmanuel Macron has for instance stirred controversy when he said in 2020 that he was not against Islam and that rather he was against 'Islamist separatism' fueling angry condemnation from Muslims.

In the last decade, right-wing movements and parties have emerged and have become very popular. Their main title is the fight against immigration. If we take an objective look, we will find a justification for this phenomenon, and if something similar happened in our countries, we would have the same reaction, if not stronger, as many immigrants refuse to integrate. In the local communities there, you find

them gathered in certain neighborhoods with their own shops, and some of them put their children in private schools and ask them to stay away from the people of the country so as not to spoil their morals. Some of them hate their new community for reasons that are usually religious, and this dilemma led to the formation of communities within the same city and neighborhoods separate from the other, differing from it culturally and religiously. The most important examples of this are the Indian and Somali communities in Britain, which were isolated on their own and did not merge with British societies.

2.6.5. Military and Political Activities

This occurs when illegal immigrants use the host countries as bases to organize the military activities against their home countries. This raises the possibility of wars between the sending and host countries (Han, 2020, p.18). Political and social oppression, as well as the control and control of the country's resources in the hands of a certain group, and the deprivation of the rest of the people, especially in dictatorial governments, has always generated anger from the people and led to the displacement of a large number of those who reject this rule to other countries that may be neighboring or across the seas to European countries. With the increase in the number of fugitives from the oppression of governments, the formation of political and military opposition groups begins to work to overthrow the regime in their countries of origin. Many opposition forces have succeeded in overthrowing the rulers from lands they have resorted to form a political and military force, especially in the third world countries. Africa has witnessed many military coups there were immigrants living in neighboring countries.

2.6.6. Prostitution

The illegal immigrants engage in prostitution that camp in rest houses as workers in commercial sex in order to fulfill their basis needs and this is due to the lack of work opportunities in the host countries. This leads to the spread of HIV/AIDS (Chirwa, 1998, p.11).

The United Nations revealed that migrants who are systematically detained in Libya suffer horrific violations of killing, torture and enslavement, especially women who are raped in exchange for food and water. The independent international fact-finding missions of the United Nations issued a new report after they conducted several field visits to migrant detention centers. Several migrants interviewed by the mission and whose testimonies were quoted in its report revealed that they had been subjected to sexual violence by smugglers, often with the aim of extorting their families.

The report stated that the mission has reasonable grounds to believe that crimes against humanity have occurred against migrants around the world, noting that thousands of migrants are detained at certain points before they head to Europe, as migrant women, including minors, are the first victims of sexual abuse, and women say that they were forced into sexual relations. Nationality in exchange for food or medicine. Recent reports stated that the known risks of sexual violence in transit countries have reached such an extent that some immigrant women and girls put an intrauterine device in the womb to prevent pregnancy before embarking on the migration journey.

2.7. Knowledge Gap

The knowledge gap has a strong impact on migrants within societies. The higher the knowledge people have of the countries hosting migrants. The more opportunities for migrants to obtain their rights and a better life. That is why countries have been keen to introduce migrants and asylum seekers through media channels and through social media programs in order to convey a general idea of what migrants suffer and how to help migrants settle and contribute to development.

One of the main objectives of the migration service in Libya is to provide better services in the competing illegal immigrants. Where several workshops and seminars have been implemented in universities and the media to contribute to respecting migrants and ensuring their rights, eliminating the problem of human smuggling, discussing key issues, legal frameworks and current electronic migration problems, and starting to discuss regional e-migration strategies.

2.8. The Challenges of Illegal Immigration

As an internationally recognized government, the overall situation in Libya makes it extremely difficult for the GNA to give enough help to the migrants there, in particular because the GNA has not controlled the entire country of Libya. In metropolitan areas, migrants suffer as much risk as, if not more, Libyans, especially in times of armed conflict. During these periods, many have also experienced forced displacement and evacuations together with Libyan people, while the required assistance and relief is avoided by local and international NGOs. Economic difficulties are also forcing migrants to change their minds about staying in Libya, since wages and employment possibilities remain poor. It can take between 1-2 and 4-5 years to acquire the necessary money to move to Europe, especially depending on current low earnings and shifting currency rates. These causes cross the line to generate various problems that both Libyans and migrants may gain if handled. A holistic approach would provide for improved management choices for migration, in particular as regards standardization and integration, while providing migrants seeking employment in Libya with secure and legal road (Pradella & Cillo, 2021 , p.111).

People are thinking in their areas of origin for various reasons but typically take the same pathways, which they believe will ultimately lead to security and wealth. It is crucial to recognize that migration and refugee movements are closely related. They are movable by definition, which is in many ways challenging traditional camp-centered approaches to displacement. Moreover, whatever causes individuals to leave, it leaves them more exposed to abusive and exploitation to move across borders as part of irregular movements.

It is not widely assumed that everyone who has passed through Libya has consistently hidden their goal to travel to Europe. Some of them set off from home to get to Europe, but others plan to settle, even temporarily, in Libya. In nations on their way (Sudan, Algeria, Mali) Sub-Saharan Africans might stop and labor there for some time. This might be to support yourself or save enough money for your travel to the next phase. Certain sub-Saharan migrants simply want to travel to earn money briefly, with the aim of returning home more than when they went,

although they may alter their minds. Only after learning from others about this alternative may some consider traveling the Mediterranean to Europe (Beşer & Elfeitori, 2018, p.104).

Insecurity in Libya has not been the sole element in people's will to leave since 2011. The changes in the broader area have also redirected flows into Libya, including increasing stability of the Sinai Peninsula, continuing turmoil in South Sudan, and the presence of Boko Haram in northern Nigeria. Apart from rising instability, substantial migration has always occurred in the region. The already complicated scenario adds to cross border trade and seasonal migration. Migration routes typically traverse a number of nations and events in one country might influence migration patterns in other ones. Migration concerns therefore cannot, but must be discussed regionally, be resolved at national level. Initiatives like the Rabat process and the Khartoum process are an attempt at regional dialogue.

Regardless of the path chosen, families and friends' networks and interactions with the like typically constitute the most important help migrants and refugees receive throughout their journey. In Libya or in towns along the route, some may have past familial links. These networks frequently extend to several nations and can affect final destination selection. Although many foreign employees have never legally gained the status of resident in Libya, their level of living and economic stability have also been quite good. While some fled in Libya due to insecurity, some stayed in solid jobs. They now become places of reference for migrants and refugees of the same national or ethnic origin. Migrant testimonies also show that Facebook and other social media are utilized to get information on migratory routes and to connect to other migrants or relatives and to contact smugglers to organize a voyage across the Mediterranean (Morone, 2017, p.79).

These informal migrant networks are different from the organized crime gangs involved in the smuggling and trafficking of human beings in Libya. Organized criminal organizations and intermediaries who have the same nationality as migrants may work together to address cultural and linguistic obstacles, but such involvement in criminal activity may not necessarily take place in a knowledgeable manner.

The legislation of Libya criminalizes every irregular entrance, absence of difference between migrants, refugees and trafficked people. The Law on Combating Irregular Migration of 2010 enables individuals considered irregular immigrants to be held indefinitely and then deported. Libya does not accede to the Convention on Refugees, or the Protocol of 1951, however there are clauses in the National Constitution and the Organization of African Unity Convention, which Libya has accepted, which prohibit the return of refugees. As of 2011, political instability, increasing discrimination, in especially towards Sub-Saharan Africans, and overall insecurity have exacerbated the fragile legal position of migrants and refugees. Refugee and asylum seekers are at risk, even when they are able to demonstrate their registration with the UNHCR. The threat of migrants and refugees, including imprisonment, abduction and forced labour, covers a variety of areas. Overcrowded facilities have inadequate conditions, with no fundamental healthcare, ventilation and sanitation. Most vulnerable to abuse and ill-treatment are women migrants and asylum seekers in custody. UNHCR has supported some inmates by supplying soap and clothes to enable them release their registered refugees and asylum seekers, while the unpredictable security situation limits their capacity to register arrivals to Libya. The IOM has also provided the detained migrants with sanitary and non-food products and helped stranded migrants to return home (de Silva, 2017, p.11).

Few international institutions, outside detention camps, help migrants. Many Sub-Sahara migrants who are particularly vulnerable are hard to contact because they live in hiding, fearing arrest by the police or militia. In this respect, foreign assistance organizations engage with local NGOs, civil societies, youth groups and universities, as a consequence of their limited physical presence, to support urban migrants and, where necessary, to arrange referrals to other organizations. The lack of access poses a number of problems for foreign organizations: context analysis is incomplete, precise numbers of individuals impacted in inaccessible places are challenging and interaction with the governments and the militia is not homogeneous. An further problem is significant under-funding of the Humanitarian Response Plan (HRP).

2.9. Selective Immigration Policies

The Directive (2009/050 / EC) on the implementation of the European Blue Card Work Visa was adopted by the European Council in May 2009. It's influenced by the American Green Card, and the Blue comes from the EU's flag color. The goal of the new visa is to recruit highly educated applicants by entirely converting their legal status in the EU. It is mentioned in the Guidelines, that the person and his family members can move to a Member State other than the first country for a highly qualified job after eight months of legal residency in the first Member State as EU Blue Card Holder. A current one-year employment arrangement with an average gross pay that is not smaller than the respective wage level set by Member States is the primary criteria for membership. The real gross annual wage in the member state involved should be a minimum 1.5 times the average (Article 5). After five (Article 16), immigrants would become permanent residents (Verdier et al., 2012, p.102).

The European Commission President, José Manuel Barroso, announced in October 2007 the Blue Card proposal that one of the reasons why Europe was less effective to recruit professional migrants than Canada, Australia and the USA was that 27 separate procedures prevailed. These frequently contradictory procedures also ensured that immigrants' employment and residency visas only extend to Member States that have issued their visas. The mobility of migrants in the EU may have been severely limited. On the same day, Franco Frattini, the former Commissioner for Justice and Defense, claimed that roughly 85% of worldwide unqualified migrant workers go into the EU, and just 5% go to America. By comparison, the United States accounts for 55% of professional jobs and just 5% for the European Union. The Blue Card is aimed at improving the EU's versatility within the EU for highly qualified migrants.

Why should Europe be prepared to draw talented people? Borjas sums up many benefits by recruiting highly educated immigrants. Fellow qualified immigrants are more likely than unskilled immigrants to be good for the economy of the host country: they pay higher taxes, need fewer social services and integrate quicker. Natives may benefit from the experience and expertise of immigrants if they are external. For e.g., the additional input of one factor of output increases marginal

productivity in the other, whether the native and immigrant workers are supplementary in the manufacturing function. The advocates of selective immigration policies also propose that an inflow of qualified immigrants will have a positive impact on income sharing. Increasing the supply of skilled workers could decrease the wages of highly trained workers by providing more skilled jobs, thereby decreasing the inequalities of wealth (Bisin et al., 2011, p.63).

However, the implementation of a selective immigration program does have certain pitfalls. Later strategy is potentially the best if the economic well-being of the aboriginal people is to be maximized. However, implementing legislation to track educational candidates is not advancement in Pareto as it could have a detrimental effect on the health of other classes. For example, the country of origin will lose the brightest citizens, a process called brain drain. For developed countries, in particular for African countries where the drain of brain often affects the relocation of trained health workers, this may be risky and expensive. Article 22 of the above directive states that European Union States should avoid aggressive recruiting in developed countries in industries that are in shortfall and are core industries such as the health sector, in order to address these inconveniences. In addition, the Directive promotes the creation of suitable structures to make both circular and temporary migration possible.

Selective immigration policies encouraging high-level refugees would certainly not be more desirable for highly-educated nations with low levels of jobs. Lastly, the distribution of work would be unsuitable for the expertise of immigrants. Immigrants are overqualified for the positions they perform in many host countries. This could arise, for example, if they lack language-like complementary abilities. The search for best job matches takes time, particularly for people who have limited knowledge of the local labor market such as non-native workers during their first years in a country of destination (Von Weizsacker, 2008, p.25).

It's important to highlight a couple of the more relevant suggestions made in the national discourse on implementation of the EU Blue Card before moving to evaluating measures to reduce the scale of the immigrant immigrants without documentation. In order to be able to get a job in the EU without being exposed to the

usual Blue Card threshold, von Weizsäcker proposed creating a "blue certificate," which would allow graduate foreign-born students who are Masters or similar from the participating university. Thus foreign stars would be drawn to EU universities and then to the European labor market. He emphasizes, too, the value of investing for qualified migrants in additional steps such as expatriation facilities. An indication of the availability of appropriate international schools for children is also an important consideration in the migration decision. Von Weizsäcker is seeking to include an opt-out from the blue card for any developed country worried about brain drain in the steps expected to minimize any detrimental impacts of the EU Blue Card on developing countries of small to medium-sized wealth. It also recommends that developed countries with especially high rates of highly qualified emigration to the EU should provide financial assistance to tertiary education.

2.10. The Position of International Humanitarian Law on Illegal Immigration

After the phenomenon of illegal immigration became one of the dangerous phenomena facing societies in the world and people entered a country other than their own illegally or irregularly. Many developed countries sought to fear these attacks, because these attacks were not limited to the search for better work. However, it has become carrying negative phenomena that pose a threat to developed societies. So, terrorism has become a part of immigrants, human trafficking, drug scourge, and the high crime rate. All these phenomena necessitated those international efforts be made, through agreements and treaties, to legalize the phenomenon of illegal immigration (Alzenati, 2013, p.4).

2.10.1. Illegal Immigration in the Legislation of European Countries

Illegal immigration has posed many negative phenomena on the developed countries, especially the European countries as these countries have taken many measures, procedures and methods that mitigate the effects of this immigration. Through this, some of the legislation, procedures and measures legislated by European countries within the European Union were reviewed, as these countries

made many efforts to limit illegal immigration by concluding a set of agreements, the most important of which are (Hafeez, 2012, p.18):

- The Schengen Agreement, signed by more than thirty countries, through which personal and security information was exchanged.
- Bilateral and collective joint security agreements between countries on both sides of the Mediterranean, aiming to provide material and logistical support to the governments of North African countries, to tighten border controls, and to increase guard capabilities to track smugglers and migrants themselves.
- Agreement between the European Union and the governments of North African countries, most of the projects have focused to prevent illegal immigrants by force from infiltrating Europe, whether by establishing detention camps or by deporting illegal immigrants.

As for national legislation, a group of European countries has developed measures, procedures and legislation within a set of internal national laws with the aim of limiting the phenomenon of illegal immigration, the most important of which are the following countries:

- **Italy:** which proposed a law aimed at setting strict restrictions on citizens, in dealing with illegal immigrants, by putting in place harsh measures against those who rent housing to illegal immigrants or employ them, and include “a permanent closure of the activities of Italians who deal with illegal immigrants.” Prompt verification of migrants from the country, and verification of all migrants’ financial assets, including bank accounts and money transfers”.
- **Spain:** Spain has proposed taking several security measures to tighten security along its coasts, by building a border wall about 6 meters high, which is equipped with long-distance radar, thermal image cameras, infrared and dark vision devices. In addition to the establishment of electronic monitoring centers, equipped with night sensors and radars, in addition to the project to launch a satellite, called the "Sea Horse Network", to monitor clandestine migration operations between Africa and Europe.

- **Austria:** Austria proposed a law related to tightening laws to combat illegal immigration, aimed at tightening the imprisonment of smugglers and traffickers of illegal immigrants, and confiscating the means of transportation of immigrants (Hafeez, 2012, p.29).
- **Hungary:** The Hungarian parliament has passed legislation against illegal immigrants, and has proposed a law that increases the possibility of the army being deployed at the border, and punishes those who attempt to immigrate illegally with imprisonment of up to 3 years (Muhammad, 2012, p.165)
- **The Proposal of The United Nations:** The United Nations has proposed to the European Union countries to make more efforts to address the crisis of illegal immigrants, whose lives are at risk while crossing the Mediterranean, and to demand that priority be given to the protection of human life and human dignity in dealing with the migrant crisis (Fadia, 2015, p.57).
- **The United States of America:** The United States has a role in combating the phenomenon of illegal immigration, being the largest destination in the world. The events of September 11th had an impact on emphasizing immigration, as it stressed, through the US immigration and residence laws the prevention of entry of illegal immigrants and the immediate deportation of those who attempt to enter through fraud, infiltration or under false identity documents. Also, its laws reduce the public prosecutor's power to pardon, stop granting subsidies to illegal immigrants and impose heavy fines for their use by employers. The competent US authorities have also recruited devices and provided them with human, technical, technical and material capabilities to confront organized crime gangs, especially gangs of human trafficking and smuggling of immigrants. The American Confederation developed a program to reform the immigration system and to make the treatment of immigrants tougher and harsher. In this context, the United States of America passed a law in 2002 to curb illegal immigration (Fadia, 2010, p.49).

2.10.2. Illegal Migration from the Perspective of International Humanitarian Law

Illegal immigration was initially a phenomenon, but it developed with the passage of time and considered its negative effects on the international community as a whole. And it was not limited to one country without the other, through its wide spread, especially in the recent period, which made the United Nations to sound the alarm about this crime, which had a great impact, which resulted in the issuance of international legal texts criminalizing and punishing the act. Illegal immigration at the beginning was not criminalized, especially after the first and second world wars, in order to rebuild and reconstruct European countries and advance them again after the collapse that hit them, through the exploitation of the working hands of illegal immigrants, and giving them documents, this is what prompted individuals To immigrate to Western countries in order to obtain citizenship and official documents, but with the spread of this phenomenon and the many pressures on these countries, they have put in place laws that criminalize and punish these acts (Klepp, 2011, p.19):

- **Schengen Agreement:** According to this agreement, the borders between the countries that signed it on June 14, 1985 were opened between five countries belonging to the European Community (Germany, Belgium, Luxembourg, France and the Netherlands) an agreement related to the gradual disarmament of the control of the common borders, which was followed on June 19, 1990, that is, after about Five years after the signing of a common application treaty called the Schengen Agreement, to which Spain, Portugal, Italy, Greece, Austria, Finland and Sweden joined, and in 1997 Iceland and Norway became 30 parties to it, while the United Kingdom and Ireland refrained from Joining it, and the aim of signing this agreement is due to the growing realization of the dream of European union and the emergence of the need to remove borders and regulate the traffic of cars and citizens between neighboring countries. Illegal immigrants were circumventing entry from one country to another other than the destination that had previously rejected their request to travel to,

by obtaining a travel visa to another country for tourism and then traveling from it to the destination country. European police on this system in the fight against immigration (Cassarino, 2018, p.8). This system is a data bank to combat all forms of organized crime within the Schengen space, while taking special measures to protect dealing with various files. Member states rely on joint procedures in line with national legislation and judiciary. Joining the detour means accepting any person within the territory of that country and has the right you may refuse it for any reason. As for people who do not belong to the Schengen space, the freedom of movement is limited and they are not entitled to stay for more than three months, and in some cases of illness and temporary passage, they are allowed to stay for a short and specified period.

- **Types of person control in the European Union:** external border control and Schengen area control. The immigration policy of the European Community: Several basic points can be noted and they apply to every *immigrant who becomes in an irregular situation on the territory of his member state. - It includes combating forms of crime related to illegal immigration by eliminating forms of crime and gangs through, criminalizing sexual exploitation, criminalizing assistance with illegal residence (the punishment of which is not less than eight years) and setting up a project to protect victims and witnesses and eliminate money laundering, and control of the external borders of the European Union (Triandafyllidou, 2017, p.29).

2.10.3. Aid for Illegal Immigrants

Migration-related issues have assumed great importance in the national, regional and global agendas, especially in the last three decades. The dangers and dire effects related to migration movements, both regular and irregular have taken priority in the concerns and work of international governmental and non-governmental organizations concerned with human rights (Sayesh, 2002, p.114).

Despite the dangerous of illegal immigration and the security, economic, political and social burdens it poses, migrants are human beings and they must be

dealt with humanely. Humanitarian organizations have emphasized good treatment and assistance. In commitment to this, the United Nations recognized the protection of migrants with a number of principles and standards to protect all their rights and members of their families, including the relevant texts developed within the framework of the International Labor Organization. Especially the Convention on Migration for Employment (No. 77), and the Convention on Migration in Conditions Arbitrary, Equal Treatment of Migrant Workers and the Immigration for Employment Recommendation, the Migrant Workers Recommendation, the Forced or Forced Labor Convention and the Abolition of Forced Labor Convention (Shaybout, 2013, p.110).

The international convention on the protection of all rights of migrant workers and members of their families, adopted by Resolution 158 of December 18, 2011, is the most important convention that recognizes the rights of migrants and their families, and establishes mechanisms for appropriate international protection of their rights, and it applies to all migrant workers and members of their families without discrimination of any kind. Based on the procedures provided to help illegal immigrants, the European Parliament has approved a non-binding law requiring EU member states to ensure that humanitarian aid provided to illegal immigrants is not subject to any criminal penalties, stressing the provision of humanitarian aid to those in need, such as rescue operations, at sea or on land. He urged NGOs to save lives at sea and provide assistance on land (Labib, 2018, p.165).

The Stockholm Program, which seeks to assist the development and relations with countries outside the European Union related to migration, has taken important steps towards integrating the human rights-based dimension into the general policy of migration. The program has given priorities to the strict application of the laws and regulations that are adopted, in addition to the need full consideration of measures that would protect human rights and the rules of international human rights law that protect irregular migrants and asylum seekers. Stockholm Program linking the success of the European policy adopted with the commitment to implement these two dimensions. At the same time, the European Parliament adopted a recommendation that called on European countries to make efforts additional in

order to receive migrants and asylum seekers and to enable irregular migrants to have access to justice, and to benefit from health services, education and housing (Taher, 2015, p.15).

The European Union has developed humanitarian policies to deal with migrants, it has adopted a system based on rights, procedures and measures to preserve the human dignity of the immigrant, from a set of elements of partnership and cooperation between the member states of the European Union, represented by creating a national legal system that provides important protection for the rights of migrants. In addition to the legal arsenal developed by the Union in the field of immigrant human rights, as complementary to the national laws of member states, and international human rights law in general, all these measures came within the framework of the European regional system represented in the effective and advanced protection of the human rights of immigrants (Taher, 2015, p.16).

2.10.4. Protection Mechanisms for Illegal Immigration

Because of the tragic conditions that illegal immigrants are exposed to and based on the right of individuals to move that is guaranteed in international charters, international protocols and national legislation, in return for the right of the state to extend its laws on its territory and to prevent anyone who does not wish to enter it, the international, regional and national group focused on developing facilities to resolve the problem of non-international migration, within the framework of the right to respect human rights and freedoms. The international, regional and national group developed special mechanisms to address illegal migration, and through these mechanisms emphasized respect for human rights and freedoms. Because of this, the European Neighborhood Policy towards illegal immigration, the manifestations of European cooperation in alleviating the phenomenon of illegal immigration, and the most important international agreements and charters to combat illegal immigration were reviewed (Malika, 2015, p.27).

2.10.5. EU Strategies towards Illegal Immigration

The events of September 11, 2001 constituted a black point against humanity, with all its political, economic and social factors, and even had an impact on illegal

immigration in Europe. Illegal immigrants from the southern to northern shores of the Mediterranean as a source of all risks and a threat to European security, and this led to the spread and exacerbation of other phenomena such as: organized crime, drug trade, religious and ethnic extremism, which formed situations of instability, security and tensions (Algerian Encyclopedia of Political and Strategic Studies, 2017, pp. 31-38). The European Union has relied on solving the problem of illegal immigration by forming a strategic framework in collective action between countries in order to protect their borders and individuals from illegal immigration that comes from the southern Mediterranean. Many mechanisms were established to combat this cross-border phenomenon. Those countries organized a group of the strategies at the security, economic and political levels, which can be illustrated within the following strategies (Mutawa, 2015, p.27);

- **The Security Strategy:** The security strategy is one of the most important mechanisms adopted by European countries in combating illegal immigration, as countries focused on intensifying security tools to combat clandestine immigration, reduce illegal immigration and protect it in case of emergency.

In addition to the creation of the Euro force, which is a special force that can intervene on land and at sea for security and humanitarian considerations. It was formed in 1996 by a decision of the four European countries bordering the Mediterranean: France, Italy, Portugal and Spain, as well as the Schengen Agreement: 1985-1990. Schengen is a small town in Luxembourg on the borders with France and Germany. The agreement was signed by the three countries, in addition to Belgium and the Netherlands, and in 2005, the agreement entered into force, bringing the number of its members to 26 European countries, including 22 countries from the European Union. All of these security mechanisms seek and work on legalizing illegal immigration, controlling borders, in addition to taking immediate security measures to preserve the European social fabric from the nationalities and ethnic differences coming to Europe illegally (United Nations Support Mission in Libya, 2018, p.1).

- **The Political Strategy:** The political mechanisms are very necessary to reduce the risks of illegal immigration, and the European Union countries have developed a set of mechanisms to join efforts to solve the problem of illegal immigration, the most prominent of which are the following (Al-Hussein, 2014, p.5).
 - 5+5 Dialogue was held in Rome in the year of 1990 in which all France, Algeria, Tunisia, Libya, Italy and Morocco participated. The dialogue aims to find a comprehensive plan to address the problems related to the issues of illegal immigration in coordination with the African countries to which the illegal immigrants belong, by returning the illegal immigrants to their countries of origin, subject to the consent of the transit countries, and punishing the persons who immigrated illegally with imprisonment for a period ranging between three months and twenty years, in addition to other penalties related to varying financial fines.
 - Rabat Convention of 2006, and 62 European and African countries participated in this statement, and the aim of this statement was to address the problem of illegal immigration and address it in a comprehensive and balanced manner consistent with humanitarian foundations represented in respect for human rights, the dignity of migrants and the provision of protection for them. It has also worked to demand the cooperation of the police and judicial authorities against human trafficking and crime networks operating in illegal immigration pathways.
- **The Economic Strategy:** Migration of all kinds has posed a great economic burden on the host countries, which called on those countries to put in place a mechanism to address this phenomenon. A strategy was developed that seeks to carry out deep economic reforms in the countries exporting migrants, implement sustainable development, and encourage support for European foreign investment in the Mediterranean region (Chechen, 2010, p.16).

As well as liberalization of trade exchanges. In light of one of the Arab Spring revolutions, European countries rushed to take strict measures against illegal immigrants, not allowing them to enter European lands except for those who possess valid passports, and deporting those with invalid papers. In addition to the Dublin Convention amended in 2002, which is linked to the increase in the number of immigrants to Italy. Because of Italy's inability to provide humanitarian and dignified reception conditions for migrants and asylum seekers, which prompted the European Commission to threaten to reduce European aid to Italy (Taiba, 2017, p.6).

2.10.6. International Conventions and Charters to Combat Illegal Immigration

European and developed countries have developed a set of international agreements and charters to combat illegal immigration. Since illegal immigration goes beyond the borders of the state, and may even have three parties: the exporting country for these types of immigrants, the receiving country and a third transit country they pass through from the first to the second. So, addressing and combating this phenomenon is not limited to national procedures, but rather requires the matter international treatment through international treaties, documents and understandings (Chechen, 2010, p.25).

The conventions, institutions and protocols relating to the conditions of illegal immigrants with regard to the humanitarian conditions of human emphasizes whether he is an immigrant or a settled person. International conventions have stipulated the protection of migrant human rights and respect for his dignity. Among the most important conventions, institutions and protocols that affirm this are the following (Taiba, 2017, p.35):

- The Universal Declaration of Human Rights of 1948 stipulates ensuring the observance and respect of human rights and fundamental freedoms, and the covenants affirm that migrant workers have the right to enjoy the rights contained in all international instruments related to human rights, based on the principle of equality for all and the prohibition of any discrimination because of Gender, color, race or religion.

- The International Organization for Migration was established in 2001. Among its most important activities, it is represented in several areas, the most important of which are: following up on the movements of migrants; assisting returnees; technical assistance, capacity building and information campaigns; combating the trafficking of migrants; and medical services. The International Labor Organization also has a role in defending workers and their interests and theorizing about work conditions, which were not done in isolation from its concern for a category of migrant workers who are most vulnerable to exploitation and discrimination. That is why the organization directed its attention to setting rules that protect migrant workers, especially the Convention on Migration for Work of the year 1949. In general, this agreement occupied a clear importance in regulating the foreign labor force, and clarifying the rights and duties in its favor (Chechen, 2010, p.35).
- International Convention on the Protection of the Rights of all migrant workers and members of their families in 1990. This international convention stipulates the protection of the rights of all migrant workers and members of their families, respecting the rights of migrants and ensuring their protection. The Convention also stipulates a set of binding international standards to deal with the treatment of both documented and undocumented migrants.
- International Labor Organization conventions affirmed all conventions issued by the international labor organization aimed at protecting the rights of migrant workers, non-discrimination and equality between them. The organization's conventions focus on the legal migrant worker and exclude family members of irregular migrant workers.
- The Migrant Human Rights Protocol, adopted by the United Nations at the twenty-second session. For the year 2008 charter on human rights of the immigrant. This charter contained the rights contained in the Universal Declaration of Human Rights. This Protocol stresses manifestations and acts of racism and racial discrimination, urges states to apply existing laws when acts, manifestations or use of expressions against immigrants denote

xenophobia or intolerance against immigrants, and stresses the requirement for states to effectively promote and protect human rights and freedoms fundamental to all migrants, in particular the rights of women and children.

- Protocol against the smuggling of migrants by land, sea and air. This protocol was promulgated by United Nations General Assembly Resolution No. 05 at the fifty-fifth session on January 10, 2000. The law aims to strengthen international cooperation between states in the field of international migration and development in order to address the root causes of migration, and also aims at the need to treat migrants humanely, fully protect their human rights, and combat the most active organized criminal groups in the smuggling of migrants (Taiba, 2017, p.38).
- The Council of Europe is the most effective of the regional organizations in the field of human rights. The Council of Europe plays a leading role in providing real international protection for human beings in general and the protection of migrants' rights in particular. The Council of Europe also approved specific rights protecting migrant workers, such as the European Convention on the Legal Status of Migrant Workers of 1977, and the European Social Charter adopted in Turin on October 18, 1961. The latter focused on the right to work, the right to social security, the right to medical and social assistance, and the right to social, legal and economic protection for the family and the right to protect and assist migrant workers and their families (Wahiba, 2004, p.39).

At the Arab level; a set of agreements related to international migration have been concluded due to the movement of labor between Arab countries and other countries, and the Kingdom of Morocco is the first Arab country to ratify the International Convention on migrant workers issued in 1990, where the agreement confirmed the procedures related to the entry and residence of foreigners in the Kingdom Moroccan and illegal immigration (Taiba, 2017, p.14).

CHAPTER III

3. MIGRATION THROUGH LIBYA

Migration from Africa and the Middle East to Libya has shifted greatly, and the position of the government against these migrants after the collapse of Muammar Gaddafi in 2011. Whereas Libya was once a destination for strong economy foreign workers, after the civil war, refugees used the country as a transit point to set sail to Europe — but, after the migration crisis in 2015-16, many have stayed stuck as European borders.

With the Libyan civil war unleashed by profound chaos and competing forces battling for legitimacy, it has been challenging for the approximately 650.000 migrants who live in Libya. Many who live in the city are vulnerable to brutality, extortion and slave labor while migrants in detention centers are over-crowded, exploited for sexual purposes, forced labor, torture and food, sunshine and water shortage. Thousands of migrants have been evacuated from the country despite strong struggles across Tripoli and a fatal 2019 air strike hitting a migrant detention center (Buhayh, 2019, p.165).

There have been two phases: the transit of 2011 to the end of 2017 and the containment of migrant ships from European waters, after the conclusion of a contract in late 2017 with Italy for the Libyan coastguard. In February 2020, this arrangement was extended to include an impetus to rethink its effects on the lives of migrants.

Libya was a prime destination for refugees in Africa prior to the death of Gaddafi in October 2011. The oil wealth of the country has powered a robust economy and ample employment. Yet when Gaddafi was deposed it collapsed. According to IOM, some 2,5 million migrant workers have been working in Libya

since the war began, but 800,000 fled in 2011, leaving vacancies in main sectors including healthcare and manufacturing.

For many years, Nigerians interviewed by the author had been employed in Libya. Abu owned and lived in Tripoli for 7 years before civil war started (his name and the names of the citizens who were interviewed are pseudonyms). He returned to Nigeria for a while, and after the dispute had begun to settle, he returned to his store. The condition in Nigeria, meanwhile, seemed to be declining, so his wife and two children took his trip and joined him in Libya (Hamood, 2006, p.22). However, their presumed protection does not last. Different tribal governments and factions of authority competed in a power vacuum after the death of Qaddafi to take influence. The condition shifted instantly for people stuck in the middle. The rising violence in Libya has brought the situation even more hazardous for refugees and local residents. According to IOM, an estimated 401,000 people were displaced in April. In mid-2020, the UN government of the Tripoli National Accord (GNA) and lawmakers in the East continued struggle for power in Libya. Two authorities continued to battle for power in Libya. Nor have central controls consolidated, while Turkey's support allowed the GNA to dismiss the Tripoli development over recent months. Instead, several tribal governments ruled over the region. Tribal rule has been consistent in some parts of the world since Gaddafi's collapse although, in other regions, it has over time been opposed by numerous parties.

For instance, in the south-east, after Gaddafi came down the Toubou ethnic group and kept its territories in check. The Toubou rule large parts that are entering and exiting their territories with money and commodities. The Toubou also established a corporation for the abduction and extortion of migrants from Eritrea and eastern Africa (Ceccorulli, 2014, p.33).

In the South West, though, the influence between competing tribal groups has been more disputed. The Tuareg and Toubou parties have been confronting each other since Gaddafi's overthrow. The key access point for refugees from West Africa in this section of Libya has been the primary source of information on slave trade and the trading of citizens.

Due to lack of controls, migration from Libya to Gaddafi rose. Earlier, Gaddafi's regime controlled further migration from Libya. The trading and extortion of human beings, since Gaddafi, has become a key income source for communities in Libya, mostly to the detriment of refugees. In February, the top five nationalities for the migrants in Libya are those from Niger (136,000), Chad (103,000), Egypt (100,000), Sudan (77,000), and Nigeria (50,000), according to the IOM Displacement Monitoring Matrix data. However, Bangladesh, Tunisia and the Côte d'Ivoire were the main groups landing in Italy by sea. After the refugee and migrant crises in Europe in 2015 and 2016, the situation has changed.

At the time, Nigerians and Eritreans were the two main communities the settled in Italy, who now form just a small fraction of Italian migrants. Nigerians accounted for just 2,3% of the Italian sea arrivals in 2020, according to United Nations High Commissioner for Refugees (UNHCR data), while Eritreans account for 1,4%. In the years since Gaddafi, the perspective of migrants in Libya has drastically shifted as the Italy Deal in 2017 switched the region from one containment region to another. However, also through these varying times, migrants have faced various conditions depending on the area they travel through. The lack of a core rule of law contributed to a plethora of extraordinary transport spaces that are outside the framework of international law (Vari, 2020, p.34).

The rampant human rights abuses of migrants in Libya have remained almost continuous. Those abuses were reported in major media articles such as the film of the Libyan Slavic Trade by CNN and a Foreign Policy briefing by Sally Hayden. Author Anna and Triandafyllidou's research reveals that Eritrean migrants are routinely abducted and extorted for their life in the Tubu region as crimes against humanity. The international community should then recommend referencing, in compliance with international law, the doctrine of duty to defend Libya.

For refugees, the situation remains serious. It should be necessary to prolong the previously appallingly long period of violence and neglect of refugees with the latest renewal of the Italy-Libya Deal. Although the agreement was very successful in decreasing immigration to Europe, the ambitions of migrants to Europe have not improved and the situation in Libya has obviously deteriorated. As the author points

out in a 2017 criticism of the original arrangement, an asylum or justice scheme that exists in Libya without a rule of law is impractical. There is growing evidence that migrants and refugees are frequently sent to Libya's detention centers after being detained by sea where they are tortured and ignored in respect of human rights. The reservations of migrant activists about the contract seem right (Perrin, 2019, p.165).

Migration has influenced the past of Europe. For decades, traders, craftsmen and scholars have moved around the continent to trade or start new lives. Millions fled to the Americas and Anti-Podes, first to the colonies. Europe also has a long history of mass displacement. There have been several conflicts between the Russian, Austro-Hungarian and Ottoman Empires from the deportation of Jewish people from Spain to demographic movements in southeast Europe.

Western Europe is more recent in mass immigration. From 1960 to 1973, Western Europe hired migrant employees twice as many as 3% to 6%. In countries like the United Kingdom and France, the number of foreigners nearly half Turkish grew by 4 million in 25 years after 1960, although it is barely a resident and it was relatively open to residents of their former colonies. However, primary immigration to Europe – motivated by labor needs – stopped with the 1973 oil crisis. The population of foreign-born persisted, particularly because most countries still issue tens of thousands of residency permits for family reunification every year (nearly 80% of the 58700 permanently settled in the UK in 1997 were females and children). Thousands of job permits are also issued annually by EU countries. In 1997 almost half of the five hundred thousand licenses in Britain went to Americans and Japanese, mostly in highly qualified jobs. But in Austria, Belgium and Germany, the proportion of foreign-born EU citizens is still small, touching less than 2% in Spain (Tsourapas, 2017, p.122).

The number of asylum seekers has risen dramatically since the late 1980s. Just 104,000 applications were obtained in Western Europe in 1984. In 1992, the number was raised to 692,000, but reduced through most of the 1990's. In 1998, figures rose again to 350,000 and in 1999, around 400,000, but both figures started to decrease this year. Asylum has since been one of the EU's primary means of immigration. Why the unexpected upheaval? By the end of the Cold War, many

minor wars and racial tensions were raised around the world. The fighters – regular paramilitaries complimented forces – frequently attack civilian civilians in warfare of this nature. Many people apply for asylum, especially Bosnia in the early 1990s and Kosovo in the late 1990s, are alleging fleeing such "ethnic cleansing." Further, many Eastern Europeans claim that the end of Communist rule will serve their hopes for a better life only in the West. It is not shocking that many people have sought to emigrate west with freer movement and less expensive travel. The concern is that, in certain nations, tens of thousands sought to use the refugee mechanism to discourage refugees of all sorts.

China, Somalia, Sri Lanka, Yugoslavia, Poland and Afghanistan were the six countries from which British asylum seekers arrived last year. However, most migrants worldwide don't settle in Europe. They stay near their countries in the area, sometimes in camps. In 1998, Iran had some 1,9 million refugees, mainly from Iraq and Afghanistan, and in Pakistan there are some 2 million Afghan and Iraqi refugees (Paoletti, 2011, p.5). However, asylum is a totemic problem in some EU countries. It overlaps with other feelings such as race and identity and reveals that western democracies have an illiberal strip. Yet we need to keep things in mind. Migrants entering the United Kingdom 100 years ago would have been easier, but once they had a much greater risk of abuse and nothing like legal and social security of modern welfare states. Nevertheless, demagogues will take advantage of "the other" rancor, particularly when there is no clear work vacuum that refugees have to fill. In general, refugees are just the little burden on residents – but it seems like this in places of high refugee density, where migrants share facilities such as schools, hospitals and homes with poorer communities (in Britain this includes a few municipalities like Londons or Dover).

While most people think domestically about the asylum problem, it is pan-European. The political issues and the dialogue are strikingly close across the globe. In particular, asylum demands in the period from 39 in 1992 to more than 4,600 in 1998, including Ireland whose recent history is one of large-scale emigration. There have been far greater rises in some countries than others. More than 60% of those who requested asylum in Western Europe in 1992 were reliably accepted by Germany

than in other EU countries. At times over the last decade the numbers of refugees per capita from Austria, Holland, Sweden, and Switzerland were slightly smaller, although some of the larger countries-in particular France, Italy and Spain-received less. England's in the heart of the world. In 1989, there were 17,000 and a decade more submissions than Germany. In 1991, 73,000 individuals kept the highest annual count under Conservative law (Palm, 2017, p.22).

In the tone of discussion and in the policy context, there are, of course, nuances in numerous countries. However, there has been a stress everywhere on reducing the influx when seeking to separate legitimate asylum seekers from merely "economic" migrants. The Government of Bonn responded by tightening the formerly liberal asylum law against the Balkan influx in the early 1990s and some assaults on refugees. The law was that a citizen crosses a 'neutral third world.' In Germany he or she can not apply for asylum if he or she has entered a world that Germany considers neutral. Although all nearby countries are deemed secure in Germany, asylum seekers who do not enter by plane would possibly be denied.

The numbers of applications declined significantly, leading the other EU countries to comply following the constraints imposed in 1993. After 1996, asylum seekers in Holland grew considerably. The Netherlands authorities (such as the British authorities, see below) have difficulty addressing demands easily. As in Britain, Netherlands officials are talking about the 'surge' of 'falsifying' migrants, but the Netherlands publications are more temperate than the British tabloids (Paoletti, 2010, p.35).

The Netherlands has set up a new Aliens Statute, which is to be introduced next year. The statute, discussed at great length, aims at streamlining the asylum system and reducing from 22 months to six an average period of applicant review. This would also offer more temporary status to all asylum seekers (who have the right to stay). Any case will not be checked for 3 years, but will only then be accepted or denied, instead of granting the refugee full status after the initial process. Asylum is only one factor of a larger discussion on immigration and national identity in some countries. In order to maneuver through the federal

government, Jörg Haider's far-right Freedom Party manipulated Austria's unease at immigrants and refugees.

The key challenges in Italy are how to counter human smuggling of a huge number of illegal immigrants or clandestinians, of particular by Albanian speed-boats and how to get the mafia to play an active role in the trafficking gangs. In April the regional elections were held successfully on a strong anti-immigration and anti-asylum basis, Silvio Berlusconi, leader of the Forza Italia right-wing, and Umberto Bossi, leader of the Lega Nord (Lutterbeck, 2013, p.36).

Yet Italy has been granted a limited number of applicants for asylum for a number of reasons. There is a humanitarian permit for many of the refugees, particularly those from Somalia and former Yugoslavia, to apply for asylum. Periodic amnesties for undocumented immigrants mean they will regularize their condition instead of asking for the status of refugee. Many refugees use Italy for entry, to fly to Germany, Switzerland or England where they enter underground or apply for refugee protection (usually in Lorries).

Asylum has not been a major concern in France and Spain who obtain very few citizens seeking asylum in comparison to the Netherlands, the United Kingdom and Germany. In France, the National Front has lost its way by infighting. Government efforts – provoking hunger strikes and marches – to expel undocumented aliens have subsided. The discourse on immigration now dominates the absorption of current immigrants and governing the condition of the sans-papiers, many of whom have lived in France for years.

The eradication of the root causes of all migration is clearly beyond the immediate forces of the EU. If the EU wishes to reduce migrant burden over time, it will require more development assistance, debt relief and fair trade, as well as to be properly prepared in order to avoid violence and preserve stability in trouble spots across the globe. The EU's popular foreign and security policy has these priorities at the core. (Not doubtless the EU's determined role in the Kosovo crisis was largely due to a distrust of Kosovo's mass exodus).

According to the statements of the Libyan Interior Minister. Libya was left alone in the face of the irregular migration file, which has imposed a heavy financial burden on it. The year 2020 witnessed an increase in the number of migrants from Libya to Europe compared to 2019, but it is still less than it was in 2015 and 2016, according to the International Organization for Migration (IOM). In 2015 and 2016, according to the International Organization for Migration. The convoys of irregular migrants coming from the countries of the Sahel and eastern Africa, and even from Arab and Maghreb countries move to the coasts of Zliten and ALkhums and the villages of Bole, Tajoura, Sorman, Sabratha, Melita, Zuwara and Boukmash, in western Libya. Everyone hopes that the "boats of death" will take them to the other side of the Mediterranean, via Malta and the Italian islands.

Hundreds of thousands of migrants risked their lives, and traveled thousands of miles in the African desert to reach the Libyan shores and were caught by human traffickers, to transport them in old and overcrowded boats to Europe. Thousands of them drowned at sea since 2014, according to the International Organization for Migration, and large numbers of them were returned to Libya thanks to the coast guard.

3.1. Illegal Immigration to and From Libya

The phenomenon of illegal immigration has constituted a state of anxiety in many countries as a result of the reversal of its effects and repercussions and its terrifying acceleration, which calls for developing cooperation strategies between the neighboring countries of the country to limit its exacerbation, and the transmission of infectious diseases and the spread of epidemics by these migrations and from transfer to cases of chaos and terrorism, and security collapse, and damage to the economy and social situation.

3.1.1. International Legal Treatment and Libyan Commitment

Countries and international organizations have been keen to protect the immigrant, whether legal or illegal, considering that migration has humanitarian considerations. Therefore, on December 18, 1990, the United Nations concluded the International Convention on the protection of the rights of all migrant workers, where

this international convention officially confirms the responsibility of states hosting migrants must respect the rights of migrants and ensure their protection. The convention also addresses binding international standards to deal with the treatment of documented migrants, and to combat exploitation and abuse of the human rights of migrants (United Nations Convention against Transnational Organized Crime).

International legislation, protocols, and its requirements represented by international law and international humanitarian law have emphasized taking all appropriate measures to preserve and protect the rights of migrants, especially their rights to life and the right not to be subjected to torture, or from being subjected to any form of inhuman or degrading treatment or punishment. Adequate assistance must be provided to migrants whose lives or safety is at risk as a result of smuggling. In the case of the detention of smuggled migrants, each state party shall comply with its international obligations under the Vienna Convention on consular relations to inform the person concerned without delay the provisions relating to the notification and communication of consular officials (Article 16 of the Protocol against the Smuggling of Migrants, 0222).

Libya is one of the Arab countries that have signed agreements and protocols to combat illegal immigration and related crimes, whether they are related to human trafficking, or what they may contain of sleeper terrorist cells, or for health reasons related to diseases carried by migrants. Where in the absence of medical procedures that show that the refugee or illegal immigrant does not carry infectious diseases. So, we will address the most important agreements and protocols in which Libya participated, which can be clarified as follows:

- European Border Management Agency; It is a specialized agency for border management by the European Union. This union was formed through the Dublin I and II Agreement between 2002 and 2002, which recognized the sharing of responsibility between the parties in the field of asylum. The establishment of centers for deported migrants outside Europe was negotiated, and Libya was the first incubator outside Europe. One of the most important functions of the organization is to strengthen practical cooperation mechanisms at the external borders of the

signatories to the agreement with a view to working to return migrants to the countries of origin, or the coasts of the transit countries from which they departed, through security agreements concluded with those parties, with the aim of stopping the movement of illegal immigrants, and strengthening the coasts Naval patrols, to be monitored and equipped with technical equipment to detect movement.

- Five + Five Agreement; this agreement was announced in 1990. It includes the five Arab Maghreb countries, Tunisia, Algeria, Morocco, Mauritania and Libya on one side, and the northern Mediterranean countries of France, Italy, Spain, Portugal and Malta on the other. This agreement discusses three main themes:
 - The security axis: This axis focuses on the search for solutions to political and security issues of common interest, and work to reduce the phenomenon of illegal immigration. In practice, the agreement urged the establishment of security teams to enhance oversight at the level of the Maghreb countries and the European Union. So, they would be equipped with one of the means of communication, cars and marine boats to monitor and prosecute those fleeing from their homelands.
 - The economic axis: This axis emphasizes the need to address the balance in the issues of economic development for Libya. In light of the chaos and lawlessness, the Libyan state loses a lot of entry fees for individuals, and customs fees, which means that it will lose a lot of fees, which are considered an economic return to the state due to the lack of control of the borders.
 - The social and cultural axis: The agreement focused on the field of migration, education, training, communication and protection of heritage.
- Euro-Mediterranean Partnership Agreement: Or the so-called Barcelona Process of 1995, and it is one of the agreements that included the Arab Maghreb, which emphasized three axes: political and security related to achieving security and stability, developing democracy and human rights,

an economic axis linked to the free market, and the third social one related to human rights issues. It results in issues of immigrants and illegal immigration, and the European Union includes twelve countries from the Middle East region, including Libya these are: Algeria, Morocco, Tunisia, Libya, Egypt, Jordan, Palestine, Lebanon, Cyprus, Turkey, Syria and Israel (Sayesh, 2002, p.67).

- Euro-Mediterranean Neighborhood Agreement: It is an agreement signed between Italy and Libya in 2002. The agreement revolves around the issue of illegal immigration as one of the neighboring countries in the southern Mediterranean. In 2003 and 2004, the Italian-Libyan partnership included an agreement to prepare and train Libyan police officers and Libyan border guards, and Italian funding for programs to detain and resettle irregular migrants to Libya. Thus, it is noted through agreements and protocols the extent of its interest and commitment to combating illegal immigration in cooperation with the countries of the European Union and the neighboring Maghreb countries (Sayesh, 2002, p.71).

We believe that international law, in dealing with the issue of the migration of individuals from one country to another has given individual the right to emigrate and leave his country, but in return it did not give him the right to enter another country in which he does not enjoy the right of a citizen, or the right of legal residence. The government of each country has full sovereign right in deciding who it allows to enter its lands from other than its citizens, and every country sets its policies and regulations for legal immigration.

3.2. Libyan National Security Challenges Due to Illegal Immigration

Libya has been living in a political crisis for more than six years. The repercussions of which have gone beyond the political dimensions to the economic, security, military and social aspects, as the civil war led to the rupture of the Libyan social fabric based on the tribal basis, and international interventions such as the Soviet-American interventions had economic objectives related to the looting of country wealth under the pretext of maintaining Libyan security.

Illegal immigration has also posed great political, economic, social and security challenges to the Libyan state. For example, many press reports indicate that the smuggling activities of migrants from Libya to the European coasts flourished during the year 2016 when their profits amounted to no less than 32 thousand sterling pounds per group. From the migrants, as the smuggler gets 100 pounds for each migrant for crossing the checkpoints set up by the various armed groups along the road from Sabha to the Bani Walid area, and transfers about 25 migrants every week. That is, he gets about 2.5 thousand pounds a week to get migrants to the coast (Deval, 2018, p.22).

Another challenge facing the Libyan state is the increase in the unemployment rate among the population, which prompted many of its youth to engage in smuggling networks or cooperate with them due to the lack of liquidity and irregular salaries for employees of state institutions and workers in the various security services. The lack of job opportunities for many individuals and the lack of providing decent livelihoods, many individuals resort to working as smugglers. This work is accomplished by paying bribes to the armed elements at the checkpoints, as this work provides the smuggler with 102 pounds from each immigrant to link him with the smuggling networks that operate along the coasts. Libya, and each immigrant pays about two thousand dollars to get a place on the immigration boats to Italy (Al-Alawi, 2015, p.2).

About 180,0000 migrants, most of them from African Sahara, crossed the coasts of Libya to Italy during the year 2016, paying nearly 18 million pounds - 23 million dollars - just to reach the Libyan coasts, in addition to two thousand dollars for each migrant to reserve a place on immigration boats. (Qassem, 2018, p.3).

As for the security challenges, besides illegal immigration and terrorism, southern Libya is considered a transit area for arms and drug smuggling groups in the African desert, prostitution and organized crime networks, as indicated by Libyan security reports, in addition to that illegal immigration is a violation of the country's sovereignty and a violation of the laws of travel and residence there.

3.3. The Start of Illegal Migrations with The Expropriation of Libyan Lands

The fall of the Gaddafi regime constituted a state of chaos, represented by the collapse of the Libyan state institutions and the spread of chaos and lawlessness, which made the way open to African countries living in difficult conditions by seizing Libyan lands, and this led to the insecurity of sea and land ports. The road towards Libya is fraught with dangers due to insecurity, chaos, and the absence of law and order. This has made illegal immigration a haven and a way across the Libyan coast as a transit station to the European coast. The terrorist forces took advantage of the migrants' boats to move to Europe, which made the European security services deal very sensitively with the migrants and during their transit, most migrants are detained in shelters in Italy because they are the closest coasts to Libya or they die at sea.

The collapse of the state's security, military, and judicial institutions turned those in charge of them into armed tribal and ideological militias with multiple loyalties, sharing influence and power among themselves and obtaining the weapons that were owned by the Gaddafi regime. After two years of conflict, Libya turned into a failed state that paved the way for transnational terrorism to settle in Libya. Where immigrants came from the volatile regions of the Middle East (Syria, Palestine, Yemen and Egypt, and from the Maghreb region, Algeria and Tunisia) to turn Libya into the preferred destination for illegal immigration heading towards the European Union countries, especially Italy (Al-Alawi, 2015, p.3).

Most of the illegal immigrants coming to Libya are Africans. They are gathered at meeting places within each country separately. Then, gangs specialized in smuggling operations transport them via large buses to Tripoli. In Tripoli, they wait for several weeks until the smuggling gangs finish networking operations with some police elements. The Coast Guard uses immoral or illegal means such as bribery. After the assembly process, the transportation process begins to the coast of Italy. Freely it may take one day if the weather is stable (Qassem, 2018, p.122).

Illegal immigration has posed a problem and a challenge to the Libyan authorities, as the immigrant enters without knowing if he is carrying diseases or if he is a member of terrorist organizations. Therefore, these repercussions posed security, health, social, cultural and economic challenges to the Libyan people, who live in a state of chaos and insecurity. Among the most important repercussions of migration are the following challenges (Al-Kamishi, 2012, p.101):

- Health challenges: Reports that conduct tests for immigrants revealed that 15% suffer from infectious diseases, whether these diseases are at the level of AIDS, the hepatitis epidemic, and even diseases that have been extinct for a long time, such as "syphilis".
- Economic challenges: The Libyan state lost a lot of the migrants' dues, whether they were customs duties or entry fees, amounting to millions of dollars that went to smuggled cells that exploited the Libyan borders for their own account, where armed groups get a hundred Dinars from each migrant in exchange for crossing checkpoints.
- Challenges related to the high rate of unemployment for the local Libyan population, as some residents of Libya have been involved in smuggling networks or cooperate with them due to the lack of liquidity and irregular salaries for employees of state institutions and workers in various security services by offering bribes to armed groups members present at checkpoints along the way to Bani Walid.
- Security challenges: As a result of the security chaos, the borders have become transit areas for arms and drug smuggling groups in the African Sahara, and nests for prostitution and organized crime, which constitute a violation of Libya's sovereignty and the laws of travel and residence there.

We believe that the problem of illegal immigration still affects the security situation in the Libyan state, and that Libya still faces many challenges regarding this problem, especially since many neighboring countries are not interested in the migration file, and do not secure their borders in the required manner, and thus immigrants flow through the southern land borders to the Libyan coasts in Tripoli,

Tajoura, Al-Khums and Zliten towards Europe. Therefore, the countries of the European Union should support the Libyan institutions that are making clear efforts in order to mitigate the severity of the illegal phenomenon, especially in light of the lack of control over the Libyan borders to a large extent. Securing the parties is also one of the biggest challenges facing the country, and allows weak border control of arms markets and people. Drugs will flourish, along with the daily illicit trade in fuel and goods, with dire consequences for the country.

3.4. Routes Taken by Illegal Immigration

The routes and ports used by the migrants, who came to Libya from the Horn of Africa, which includes Chad, Sudan, Niger, Egypt and the Sahel region, as well as the Middle East and the Maghreb regions. Multiple and varied roads according to the destination, a second stage fraught with risks, and the third stage which is the stage of assembly in the cities of the Libyan coast. The paths from which the illegal immigrants depart to Libya have been identified among seven paths, the most important of which are (Bawabat Al-Wasat newspaper, 2018, p.3).

- The first path: From Sudan across the Egyptian border, and from there to Libya via Jabal Abdul Malik in the east to the Sarir area, passing through the Al-Wahat area, reaching the Ajdabiya and Brega area, and then to the north to Europe.
- The second route: from Sudan to Al-Marmak to the Salima area south of Al-Owainat in the Arab Republic of Egypt, then to Jabal Abdel-Malik, and from there to Bouzereq, and to the Tazerbu area, which is about (280) km from Kufra, and then to the Ajdabiya and Brega area, all the way to Europe.
- The third route: From Sudan to Marmak to the Salima area south of Owainat, about (22) km, and from there to Saif Al-Barali, about (82) km from Al-Uwainat, and from there to Jabal Al-Sharif, all the way to the Ribana area, which is about (135) km away from Kufra.
- The fourth route: From Sudan to Marmak, back to Sudan near Qala' Al-Toum, about (122) km, passing through Chadian lands, and heading near

the Al-Sara land port, reaching the Ribana area and then to the Sarir area, heading to the city of Ajdabiya in the north.

- The fifth route: From Darfur in Sudan, passing through Al-Qalaa Al-Gharbi there, then crossing Libya near the Al-Sara port to the 400th line, and then to Mount Kalimanja, and Wau Al-Namous area, to Sebha, and then to Tripoli.
- The sixth route: From Chad to Libya near the land port of Al-Sara, and from there to the Ribana or Mount Kalanga area.
- The seventh route: It is a new line that arose after the Libyan army forces took control of the city of Ajdabiya, as it starts from the city of Zella, then Jufra, then Qatrun, then to Murzuq, Adri, and Sabha, passing through Kufra.

3.5. Migration from Chad to Libya

Realistically, there are no accurate numbers about the number of migrants from African countries, especially since the journey of many of them does not end with reaching the destination they want, as they remain in North African countries against their will. In total, the International Organization for Migration has documented more than 432,000 migrants in Libya in the five years past, since the declaration of a state of emergency and entered Europe since the beginning of 2018, more than 55000 migrants and refugees by sea, compared to 111,000 people who entered in 2017, and more than a quarter of a million people entered in 2016, according to United Nations reports. It is estimated that 100,000 migrants enter Libya annually, and the number of people crossing from Sudan to Libya ranges between 12000 and 10000 migrants per month (Moaz, 2018, p.38).

The city of Sabha in southern Libya is home to a gathering of migrants from African countries, where the citizens of the city of Sabha provide all facilities for the process of their smuggling and displacement, as it is the capital of the south in Libya and is a center for attracting those wishing to migrate from their countries, especially African ones towards Europe. Where the journey begins from the joint Libyan-Chadian border, then the smugglers carry their goods towards Sebha and its suburbs,

before moving to Sirte to the coastal cities, and from there to the death boats across the Mediterranean waters towards (Munia, 2012, p.5).

The historical relations between the Libyan tribes in the region, and the depth that some of them owned within neighboring countries, especially Chad, made it easier for smuggling operations, as they are carried out through mechanisms and vehicles whose windows are opaque and completely obscures the view of those inside them from the eyes of onlookers and the ability of the people of Sabha to take different and out of sight corridors. They walk through them in the absence of border control because of the lawlessness where migrants are smuggled to the city of Sabha where there is a shelter for migrants in exchange for money. They are distributed and smuggled to the Libyan coast, then transporting them with death boats as well as some wrongdoings and practices by smugglers in the so-called human trade (Moaz, 2018, p.40).

On the official level, the Chadian government confirmed that illegal immigration to Libya is prohibited, both for citizens and visitors to the country. In a communiqué issued by the government of Chad, where it expressed that despite the repeated calls of citizens to avoid illegal immigration to Libya, some of them, especially from the regions of Wadi Fira, Sila, Bahr al-Ghazal and others, organize, with the help of smugglers, group migration trips. The government emphasized that the rulers of these areas and the defense and security forces are making every effort to prevent people who try to infringe the law issued regarding illegal immigration. Libya and Chad share a long border in which armed groups opposed to the government of "N'Djamena" (Libya al-Mustaqbal Newspaper, 2016, p.1).

3.6. Migration from Sudan to Libya

Sudan is one of the most important crossings for illegal immigration to Libya, as the factors of poverty and unemployment among Sudanese youth are causes that lead to youth migration and the search for a better life. The paths start from El Fasher, Al Nahud, Mellit, Umm Kadada, Umm Ajeeja, Umm Bader and Jabal Midoub. The adventure begins with the agreement of a group of migrants who have nothing in common except the goal of infiltrating Libya, with an expert who knows

the paths and roads leading to the Libyan border, across the desert. They usually choose the roads where there are wells for water and before moving, the desert expert receives three thousand pounds from each intruder. Most of the infiltration operations into Libya through the desert are carried out using camels to avoid the problem of running out of fuel, as the smuggling process was carried out by vehicles, and preparations for crossing the desert began with the preparation of food supplies, usually consisting of dry bread, flour, onions, sugar, and tea, and carrying large quantities of food (Al-Taj, 2012, p.12).

The convoy consists of ten of camels and when it arrives in Wadi Hawar, it is supplied with water from wells, after which there are no water sources except in the Owainat area on the Sudanese-Libyan border. From Al-Owainat, the infiltrators head to Kufra in Libya, then the Ajdabiya region and from there to Benghazi. The journey takes 7 days using camels. The journey from El Fasher to the city of Benghazi takes 37 in case of non-emergency or a malfunction, convoys of camels carrying migrants follow the same route as cars (Libya al-Mustaqbal, 2016, p.3).

As for the migration path of countries bordering Sudan, such as Eritrea and Ethiopia, Sudan is considered a major transit point for migrants and refugees from the Horn of Africa to Europe, and according to interviews with officials from the United Nations High Commissioner for Refugees, approximately 1,522 new asylum seekers, most of whom are from Eritrea, register their names each month in refugee camps in eastern Sudan. The government estimates that the number of actual arrivals, including those crossing the border undetected by authorities, is three times that number. The majority of asylum seekers and migrants go to urban centers, such as Khartoum, to work to earn money with which to reach Libya, and from there to Europe. Where in Sudan there are smuggling networks, operating underground in Sudan, it is likely that it will pose a great difficulty for European countries. The smugglers also use their social ties within the tribes and have contacts at the level of governors and ministers (Foreign Policy, 2015, p.17).

3.7. Migration from Niger to Libya

The city of Agadez is considered the gateway to the desert in northern Niger a crossroads used by thousands of migrants to reach Libya, and it is a region and a gathering place for launching to the coasts of Europe. In the opposite direction, on the other hand, the government agencies in Niger adopted a very strict law that prevents the smuggling of immigrants, in an attempt to end this phenomenon, which made the journey of illegal immigrants more difficult in the year 2015.

The International Organization for Migration announced that there is real “slave markets” in Libya, where migrants are sold at a value of 200 and 500 dollars. The organization explained, in a statement, that its employees in Libya and Niger were able to collect “shocking” testimonies of migrants who spoke of the existence of “slave markets” in which hundreds of men and women are sold, and sales take place in public squares or warehouses. The organization confirms that migrants from sub-Saharan Africa are sold and bought in this market, located in a garage, run by Libyans, assisted by Ghanaians and Nigerians working for the Libyans. After the Senegalese immigrant is sold, he is taken to several “prisons” areas where migrants are tortured, while their detainees demand to pay a ransom for their release. Through these practices, most migrants face the risks of malnutrition, sexual abuse and even murder (Al-Madaen newspaper, 2017, p.3).

The International Organization for Migration confirmed that the number of migrants who were monitored at that crossing point has fallen a lot since September 2016. The international organization showed that nearly 292,000 immigrants crossed the town of Segodine in Niger in February of the year 2016, bringing the number to 8700 immigrants for the year 2017 (Potitti, 2017, p.12).

The researcher believes that in light of the fight against illegal immigration from Niger to Libya, the International Organization for Migration has confirmed that the number of migrants coming through Niger to Libya has decreased significantly, after Europe pledged to provide funds to Niger to help it combat human smuggling. The reason for this decline is the International Organization's monitoring of trucks transporting migrants through the desert road in eastern Niger usually used to reach

Libya, where more than half a million people have sailed to Europe on rickety boats in the past three years, and thousands of them have died in those Dangerous trips.

3.8. The Path of Illegal Immigration of Egyptians to Libya

The Egyptian Republic is one of the most influx of legal and illegal migrations in the Arab countries. Unemployment, difficult economic conditions and the search for a better life have pushed hundreds of Egyptian migrants to illegally migrate through the Libyan Desert, risking their lives in minefields and security chases, and some of them may get lost in the desert to be swallowed up. The Egyptian immigrants have experienced many difficulties to reach Libya where the long distance through the Egyptian desert and the suffering experienced by the immigrant in a difficult journey in which the immigrants suffer from thirst and wandering, in addition to the problem of financial cost by brokers who seek to achieve great profits with the least effort possible.

Despite the efforts made by the Egyptian government to prevent illegal immigration, and by the army forces in Egypt and Libya, the smuggling gangs succeed every time in finding a way to allow them crossing the border between the two countries, through major passages such as the Mediterranean, Egyptian fishing boats are used to transport migrants to Libyan shores. There is another corridor for smuggling migrants' south of the Salloum port, an area known for its minefields. In addition, the area south of Siwa Oasis, or the Great Sand Sea, is the third most important corridor of illegal immigration, and it is sought after by tightening the noose by the Egyptian border guards on smugglers who used to use the border villages west of Siwa city (Faraj, 2017, p.12).

There are other ways to smuggle migrants to Libya that pass through Sudan, and either they pass legally from Egypt to Sudan, or illegally from Sudan to Libya, or they pass from Egypt to Sudan through illegal ways, or through traffic from Aswan, and the joint desert roads between Egypt and Sudan and from Sudan, migrants cross into Libya through common paths with the Libyan side to reach the Kufra desert (Hindi, 2013, p.1).

As part of the Egyptian government's efforts, it has warned against the continuation of illegal immigration to Egypt given the current conditions the country is going through, the government has appealed to the Egyptian citizens residing in Libya to exercise the utmost caution and stay away from areas of tension and clashes. The ministry urged the Egyptians not to get carried away by the travel promotion gangs, which travel the Egyptian citizens to Libya via the desert tracks, and then leave them in the desert, which ultimately leads to endangering their lives.

The Libyan authorities uncovered the decomposing bodies of illegal Egyptian immigrants in the Tobruk desert with their passports and identification papers next to them, and buried them there after informing their families (Abdel Hamid, 2012, p.21).

3.9. The Impact of Illegal Immigration on Libyan National Security

The fall of the Libyan regime led to the collapse of the institutions of the Libyan state, and the spread of chaos and lawlessness, Libya became one of the preferred areas for those seeking clandestine immigration towards Europe through the nearby European coasts, with the insecurity in these sea and land ports. With the fall of this regime, clandestine immigration to Europe became a common practice in the minds of immigrants (Al-Alawi, 2015, p.4).

Illegal immigration threatens the Libyan national security through the smuggling of extremists and illegal immigrants who suffer from serious diseases, and the illegal immigrants' crisis has increased the burden on Libya, which contributed to exposing the Libyan state to a great threat, which prompted it to call on international organizations to sharing the health burdens of illegal immigrants who reach its lands to cross the Mediterranean.

3.9.1. The Reality of Libyan Security in Light of Illegal Immigration

Illegal immigration has affected the reality of the structure and reality of the Libyan society socially, economically and security, as any unorganized behavior leads to a state of instability in any country. So, Libya suffered from the influx of

immigrants to it due to the political turmoil that led to a state of security chaos formed by Illegal immigration. The migrations had economic, political, security, social, and psychological repercussions, in addition to the spread of diseases, negative effects on the transit countries "including Libya", the spread of crimes, fraud, sorcery, currency counterfeiting and smuggling, the limits of illegal sexual practices and the spread of drugs, drinking and alcohol addiction by Libyan youth, car theft, the spread of the phenomenon of beggary, stirring up disputes among citizens, forming human smuggling gangs, trading in human organs, tampering with electricity, the spread of infectious diseases, finding a black market and selling corrupt goods and high prices. Therefore, the Libyan people suffered the scourge of illegal immigration, politically, nationally and economically (Al-Zanati,2013,p.14).

3.9.1.1. On The Economic Level

The economic dimension constituted the most important repercussions that the Libyan government witnessed. The flow of illegal immigration was the cause of the high economic bill in Libya. The absence of the Libyan government's ability to manage the country and regulate immigration has led to the formation of an economic crisis. Through the economic dimension, the most important factors that led to the collapse of the economic situation in Libya due to illegal immigration can be found as follows:

- The collapse of the Libyan dinar against the dollar: after the dollar was equal to (1.25) Libyan dinars in 2011, it collapsed in that year to become a dollar equal to (7) Libyan dinars. This led to witness a stifling cash liquidity crisis represented by the scarcity of foreign currency in commercial banks, accompanied by the high cost of basic materials, and the decline in the strategic stock of these materials, in addition to the problems of power outages for long periods.
- The mismanagement of economic institutions during the era of President Gaddafi, which led to the absence of real state institutions throughout his

rule, because he ran Libya individually which led to the weakening of its institutions, parties and society.

- Management of the economy by foreign institutions: The foreign, regional and international interventions in the Libyan affairs, with contradictory directions had a great impact on the Libyan economy especially the control of these companies over the Libyan energy resources. In 2017, Libya's oil production exceeded (500) thousand barrels per day for the first time after three years, bringing the total rate of Libya's production of crude oil to (750) thousand barrels per day, after the reopening of the oil ports in September of the year 2016, and then the total production declined. The oil pipeline for Libya rose to (200) thousand barrels after protesters closed Al-Sharara line feeding the Zawia refinery, which is considered one of the largest fields in Libya.
- Legitimate migrations caused the decline of the Libyan economy: the migrations constituted a stifling crisis in the Libyan economy that led to the deterioration of the value of the local currency, the sharp decline in the revenues of raw materials and it became the only financial resource for the state budget, and the Libyan economy became on the verge of a comprehensive collapse, which prompted the Central Bank to withdraw from cash reserves to cover the import bill, pay employee salaries and support entitlements. As well as, these events push migrants to target ports, oil supply lines, and confusion in economic policies, in addition to rampant corruption in the joints of the state, all of which contributed to the deterioration of the value of the dinar to record levels, and thus the cash cycle has become outside the framework of the banking system (Al-Arab newspaper of London, 2018, p.7).
- The conflict inside Libya: The Libyan oil fields faced severe damage to the main infrastructure during the conflict period inside the Libyan territories, which has been going on for more than six years, which led to the suspension of oil exports. European Union estimates indicate that the militias' control of major oil terminals such as Ras Lanuf, Sidra, Zueitina,

and Brega (for three years) cost Libya more than \$122 billion (Surur, 2015, p.122).

- The control of the militants over the Libyan economy: The control of the militants in Libya over production facilities and export ports has led to a decrease the quantities of gas and oil exported abroad by two thirds. In addition to the deterioration of oil prices, and the collapse of the economy, the gross domestic product in Libya decreased by about (9%) in the year 2016, and inflation rose, especially with regard to foodstuffs, in addition to the increase in the deficit ratio in the state's general budget to the gross domestic product, from (40.3%) in the year 2014, it increased to (52.5%) in the year 2015 and reached (59.8%) in the year 2016. In addition to a shortage of medicines, vaccines, foodstuffs, necessary commodities, water, electricity, low wages and purchasing power (Ulu, 2017, p.12).
- Absence of state authority: The absence of state authority led to the outbreak of a state of chaos, which led to the formation of an economic crisis. Therefore, because the lack of a legitimate authority in Libya, contributed to the presence of militias representing regions, tribes, cities and different ideologies, which are fighting for control of lands. and oil resources. By 2016, three distinct presidential bodies had emerged but none of them was able to gain legitimacy among the majority of Libyans.
- High rates of inflation and loss of commercial activity: This led to the deterioration of economic life in Libya, whether with regard to trade or industry activity, especially as a result of the influx of non-migration which contributed to the high rates of inflation and unemployment, and the decline in work in the agricultural sector, which provides (25%) of Libya's agricultural needs. Therefore, it has become highly dependent on imports from abroad to cover its needs.

3.9.1.2. The Social Level

Illegal immigration has led to the emergence of behaviors that are incompatible with social values, customs and traditions. In Libya, as is known, the

Libyan social fabric is a tribal fabric that has customs and traditions which is at the same time a community of mostly Muslims. The entry of immigrants with different identities, customs and traditions, while carrying ethnic and sectarian beliefs has negative social impacts on the Libyan people, who live in a state of division and fragmentation. Consequently, the most important repercussions of illegal immigration on the Libyan society can be explained as follows (Al-Kamishi, A. M. (2017, p.8):

- The high rate of unemployment and crime: the entry of thousands of immigrants to countries with limited capabilities, and whose institutions live fragile and weak, especially the army and the police and all its security services as a result of the chaos that the country has been experiencing since the year 2011 with the spread of weapons, high prices and scarcity of financial liquidity, this led to decrease in employment opportunities in the public and private sectors, an increase in the unemployment rate among the population and an increase in the level of crime.
- Lack of medical supplies: The entry of immigrants has a health dimension and the diseases they carry have posed health challenges, as the head of the expatriate employment survey committee confirmed, according to preliminary statistics, that approximately 15% of immigrants suffer from infectious diseases, such as AIDS, hepatitis, and even diseases that have long been extinct such as syphilis.
- The increase in smuggling networks: The increase in the unemployment rate in Libyan society due to the lack of job opportunities prompted many of its youth to engage in smuggling networks or cooperate with them due to lack of liquidity, and irregular salaries of employees in state institutions and workers in the various security services. The Libyan authorities have formed checkpoints as smuggling networks, as 100 Dinars are obtained from each immigrant to connect him with the smuggling networks operating along the Libyan coasts, in addition to the fact that each immigrant pays about two thousand dollars to obtain a place in the immigration boats to Italy.

- Torture and rape: It is a phenomenon that does not exist in Libyan society, but immigrants who lost morals and values have introduced this phenomenon, a phenomenon that contradicts Islamic and Christian teachings, which reinforced the commission of crimes and violations of the rights of migrants in detention centers through the means of torture, rape, imprisonment, and forced labor.
- The spread of the phenomenon of slave markets: This phenomenon is strange for Arab and Islamic societies where migrants have created slave markets in Libya, in which migrants are trafficked in markets for slavery, in addition to their exposure to violence and torture in shelter centers in Libya.
- Lack of food and medicine and ill-treatment: where the increase in illegal immigration led to a shortage of food and medicine, living in difficult conditions, mistreatment of migrants waiting in shelter centers, their neglect, and the indifference of the guards and services personnel from the Libyan side who are in charge of these centers.

3.9.1.3. The Political Level

The flow of illegal immigration has led to a state of political turmoil in Libya and has been a burden on the Libyan political decision-maker, in light of the instability that has directly affected the Libyan political reality. Among the most important repercussions of illegal immigration on the Libyan political reality are the following (Al-Salam Center for Development, Research and Strategic Studies, 2018, p.1):

- Penetration of state sovereignty: External interventions associated with combating illegal immigration have constituted a breach of the sovereignty of the Libyan state. These interventions led to the internationalization of the Libyan issue and the removal of the political decision from the hands of the Libyan political decision-maker.
- The state of instability: the illegal immigration has constituted a state of instability in Libya, which is not based on military and security force, as much as it is based on a set of political, social, economic and cultural

measures to address the impact of these migrations and that the stability of the Libyan regime is subject to its ability to respond to challenges, whether imposed on it by the internal environment i.e society, or from the external environment, i.e. immigrants from outside Libya, which are often represented by demands and threats to the Libyan political system.

- Extremist thought of immigrants: Many immigrants have left their countries, perhaps for political reasons. Therefore, the influence of immigrants and the extremist ideas they hold may threaten the values and principles of the Libyan political system. Therefore, the security concept is introduced as a proactive case to know the impact of the immigrants' ideas politically before it affects the Libyan political system.
- Weakness of Libyan political institutions in sheltering migrants: There is a significant weakness in the institutions that shelter migrants, and the apparatus suffers from a lack of capabilities that require huge budgets to provide services that require the availability of health care in shelter centers, and to provide the necessary subsistence for migrants. The Libyan authorities and the Anti-Illegal Migration Agency are facing a weakness in the capabilities required to confront illegal immigration.
- The collapse of the political system: the burden of organizing illegal immigration in Libya has resulted in the collapse, disintegration and division of state institutions, and a threat to the entity of the afflicted Libyan state with a scheme that may eventually lead to the division of Libya, which has become a reality on the ground, where the political differences between the Libyan leaders and which it constituted a stifling crisis within the institutions of Libyan society.
- Border control: Due to the inability of the Libyan security to control and monitor the borders of Libya, it used Italian expertise to monitor illegal immigration that crosses the Libyan borders. The Italian authorities formed a joint Libyan-Italian security operations room in Tripoli to monitor the Libyan coasts in the north, and the country's southern border, using drones and training special border guards teams to monitor the

activities of organized crime, smuggling of migrants and extremist groups, including the Islamic State (Libya Al-Mustaqbal, 2016, p.122).

3.9.1.4. The Security Level

Illegal migrations constituted a burden on the Libyan security reality, as migrations carry with them subversive ideas and sleeper cells may wake up and pose a threat to the Libyan security. Legitimacy over Libyan security because of illegal immigration is as follows (Arabic Spont, 2017, p.122).

- The extension of the Libyan coasts constituted a security burden on the Libyan state: the length of the Libyan coasts on the Mediterranean is (1222) km, and Libya shared more than four thousand km of land borders with the six neighboring African countries, and due to this geographical reality, Libya turned into a major attraction. In the path of clandestine immigration from Africa, and with the growing phenomenon, the problem of illegal immigration has emerged in the country over the past years which has led to an increase in security burdens.
- Entry of smuggling gangs with migrants: smuggling gangs exploit migrants, and treat them as commodities, where they are exploited and then they are transported via large buses to coastal areas, often concentrated in the vicinity of the Libyan city of Zuwara, which is (152) nautical miles from the coast of Italy, which they travel on a cruise that may it takes one day, and from Zuwara, smuggling gangs put migrants in boats for a sum of money ranging between 122 and 1222 Euros.
- Confusion and chaos: Illegal immigration has created a state of confusion and chaos, spread of rumors, lack of clarity of vision, lack of available and inappropriate information, and the so-called security vacuum that may constitute an uncontrolled security situation.
- Divisions and conflicts: Because of the security situation, chaos and insecurity, Libya has become a corridor and a transit area and polarization for thousands of immigration seekers, forming a stifling crisis due to divisions and conflicts that have affected living conditions and public services, especially the health sector, which is witnessing a decline in the

level of health services provided, due to severe shortage of medical supplies and medicines.

- Security and political chaos: The flow of illegal immigration has formed security and political chaos inside Libya, where Libya has suffered from security and political chaos since the year 2011. This chaos has made Libya a fertile environment for armed groups and dangerous smuggling networks that have further deepened the crisis in the country. The exacerbation of this phenomenon poses a threat to Libya, as it bears the greatest burden.
- The spread of terrorism crimes: Illegal migrations have been accompanied by crimes related to terrorism, crimes of human trafficking, drug smuggling, arms smuggling, and the entry of migrants into armed conflicts due to economic crimes, money laundering, armed robbery, crimes of prostitution, crimes of forgery and counterfeiting and the spread of the phenomenon of beggary and theft.
- Crimes of violations: illegal immigration highlighted crimes of violations related to the rights of migrants in the shelters of the Anti-Illegal Migration Agency, and the emergence of organized crime gangs, smuggling and human trafficking networks in Libya.

Illegal immigration is one of the most important political repercussions that Libya is experiencing. Chaos and insecurity have led to an increase in this migration, mostly of African nationalities, to search for a living, and to escape persecution, poverty, drowning and death represent another scene in Libya. Despite what is limited in Libya by fighting and wars between political forces, illegal immigration has posed a great burden on the efforts of Libyan institutions that are experiencing the scourge of the crushing civil war. The absence of organizing operations, the absence of manifestations of law, and the absence of the prestige of the state are all scenes that have strengthened the entry of illegal immigrants into Libya. These migrations had negative repercussions and effects on Libya health, socially, economically, security, politically, humanely and demographically, in light of the conditions of the Libyan people who abound under the weight of the civil war, which

constituted a great burden on the Libyan people. The most important manifestations and effects of illegal immigration is as follows (Al Alawi, 2015, p.4):

- Economic effects: The instability in Libya has led to a regression in the economic field due to the conditions of the internal fighting. Most of the Libyan people were preoccupied with the civil war to defend their interests and their homes which provided the opportunity for large numbers of immigrants to exploit the need for labor, in the absence of regulations related to work and work residences. So, Libya became a hotbed for immigrants without supervision or accountability (Karnfouda, 2018, p. 3).
- Health effects: Due to the chaos and the collapse of the security system, illegal immigration has caused the transmission of infectious diseases as a result of the lack of medical examinations to enter Libya, which helped spread dangerous diseases within the Libyan society, especially AIDS (immunodeficiency), which is broader, more and faster spreading than what this constitutes a deterioration in the health conditions in Libya.
- Social effects: The high crime rate has posed one of the problems faced by the Libyan people. Many of the fugitives and those who entered as illegal immigrants had a history of crime, murder and theft, which had a negative social and psychological impact on the Libyan society. In the crime rate indicators, Libya ranks third in the Arab world and 27th globally.

3.9.2. The Future of Libyan Security in Light of Illegal Immigration

After a storm of illegal migrations that burdened the political and security institutions of Libya, which constituted the repercussions that clearly affected the Libyan security, which lives in an economic and political crisis. So, because of this suffering, Libya began to conclude agreements regarding irregular migration with Italy, the closest country to Libya. On July 3, 2003 Memorandum of Understanding have been signed between Libya and Italy to reduce the flow of irregular migrants across the Mediterranean through the conduct of land, sea, air, and joint patrols, and Italian forces held training courses for Libyan police forces to track down the groups involved in smuggling humans (Al Alawi, 2015, p.6)

3.9.2.1. Security Flaw

After the Libyan security apparatus suffered from chaos, after the revolution, the central government tried to show a degree of control of many revolutionary armed groups in the country and its organization. As a result of this reluctant effort, new security entities were formed, and a hybrid characterized by the presence of a group of official and informal actors, and the ambiguous borders of power. Libya has begun reforming the security defect by increasing many regular army and police. Where it works with a high degree of independence, a number of security entities and local battalions, which cooperated to achieve a high level of security (Friedrich, 2013, p.13).

The Libyan leadership was able to develop the security system after illegal migrations constituted a great burden that led to the fatigue of the security system. The Warriors Affairs Authority represented the most powerful effort in the process of collecting the data that started in Libya after the revolution. This body sought within the framework of a new political body that supports efforts to reform security sector with accurate data (Friedrich, 2013, p.5).

In attempts by Libya to develop the security system, it participated in a meeting of senior officials in London in December 2012. The government of Libya presented its priorities related to the development and reform of the security sectors, the rule of law and justice. The participants issued a statement and adopted the Libyan National Security Development Plan and the Plan of Justice Development, and the rule of the law that the Libyan government will implement with the assistance of the international community.

The security system has suffered from difficult conditions due to its lack of dues but new developments have emerged to improve the conditions of the Libyan security establishment, which became able to perform its duties after its involvement in training courses that contributed to the development of the Libyan security element, and capabilities have emerged security elements in the following fields (Shawail, 2014, p.7):

- Control of border crossings: The importance of the important land, sea and air outlets was one of the most important security duties for the borders. Therefore, work was provided with advanced technical devices and equipment to monitor the entry and exit of people and vehicles and to choose good and committed elements to work in these sites, and grant them rewards and necessary training.
- Establishing security forces to protect productive institutions: A force has been created to protect public institutions such as banks, universities, power stations, water stations, hospitals, etc., and it is used from a large percentage of the revolutionaries who were combined with the Ministry of Interior to work in this force.
- Protection of embassies and diplomatic buildings: The administration of diplomatic headquarters has been established that secures international embassies, consulates and organizations within the country.
- Establishing training institutes: Police training institutes have been developed to raise the efficiency of police employees and improve their performance to accelerate the return of control and connection.
- Amending the police law, raising the salaries of workers, and motivating them with the benefits according to the nature of the work. In addition to issuing the necessary legislation that guarantees the protection of security men while performing the duty.
- Working to establish specialized devices for research, investigation and follow-up to serious and sensitive crimes that affect the security of the state, such as the criminal investigation service and the general investigation which has a legal person and branches in all regions.
- Providing all necessary equipment, vehicles, vehicles, weapons and devices, so that it is a large support and deterrence force subject to a central administration, distributed to all regions, and their mission is to support security directorates in the regions and intervene when needed.

3.9.2.2. Social Imbalance

After illegal migrations constituted a state of health and services disorder on the Libyan society, and the involvement of immigrants in the labor market, this led to an increase in unemployment rates, the extent of integration of migrants with the difficulties faced by the Libyan society from these migrations, and the extent of adaptation to this new society, and so on. The immigrant carries it from human trafficking crimes, threatening or using force or any form of coercion, kidnapping, fraud, abuse in the use of power in exploiting the state of vulnerability by giving money to vice, sexual exploitation, forced labor, slavery, and so on. Among the practices that depart from Arab and Islamic values, but the Libyan authorities have been able to get rid of these pests and work to improve services related to health aspects, unemployment, and internal divisions, by setting a strategy to improve and develop the internal social situation through the following procedures (Moftah, 2018, p.26):

- The health sector: In recent years, the public health sector in Libya witnessed major transformations at the organization level, as well as at the level of structures, which enabled it to improve the quality of services and to perform accurate and sensitive surgeries within the country. After it was taking place abroad, in addition to the free health services enjoyed by Libyan citizens, it is possible to perform almost all sensitive and dangerous operations in health institutions inside the country and the efforts made to develop the health sector have taken three trends. The first of which is to enhance infrastructure through the creation of new units, maintenance and modernization of existing health facilities and represents the second trend in the authorities commitment to equipping hospitals and health centers with modern and accurate equipment and machines to improve the quality and empowerment of their services, to keep pace with scientific developments, and to enhance the capabilities of doctors, to address difficult conditions locally and avoid sending them abroad. The processing of health institutions in the country with the latest equipment in all specialties, including heart disease, general surgery, photography,

analysis laboratories, etc. As for the third trend, it is linked to the development and improvement of health and treatment services in relation to the composition, rehabilitation and enhancement of medical staff capabilities.

- Education sector: like other sectors, the education sector suffers from poor security and life conditions, suffering from security threats, power outages for long hours, in addition to the interruptions of communications. However, in highlight of the development of the political situation in Libya, there were signs of improvement in the educational process that included the place, teacher and educational facilities.
- The Energy Services Sector: Oil production in Libya has recovered towards new high levels in an indication of a continuous improvement in daily production rates, after repeated waves of political and military unrest that have repeatedly suspended raising the production rate daily, based on data published by the Libyan Central Bank, that oil revenues in 2017 has reached 14 billion dollars despite political instability and the chaos in Libya. According to the data of the Libyan Central Bank, the average of Libya's oil production in 2017 has exceeded one million barrels per day, while production fell between 2014 and 2016 to less than 522 thousand barrels per day, due to the armed confrontation that took place in the areas of extraction of crude oil and the ports issued through it. The Libyan Central Bank indicated that the increase in oil revenues in the past year, which constitutes about 12 % of the state's imports, reflected positively on the budget and led to a remarkable reduction in the deficit (Ghobara, 2018, p.33).
- The level of services improved: The United Nations Development Program (UNDP) and the United Nations Children's Fund (UNICEF) announced the start of implementing programs to improve access to basic services in Libya, which is funded by the European Union with a value of 52 million Euros. This program will support 24 municipalities throughout Libya, in order to improve access to health, education, water, sanitation

and social services. According to the statement, more than 670,000 people in Libya need humanitarian assistance in the field of water, sanitation and public hygiene. The crisis also affected (267) thousand students, and damage to 481 school of which 42 schools have been completely destroyed. The program "Recovery, Stability and Social and Economic Development", which was formulated by the European Commission and Italy, seeks to improve the basic services of the residents of those municipalities not only to help migrants, refugees and displaced persons Internally, but also the Libyan host (Xinhua, 2018, p.48).

3.9.2.3. Economic Imbalance

After a state of economic instability due to the Libyan crisis represented in the internal political division, and due to the flow of illegal migrations, the Libyan economy suffered a state of developmental schizophrenia represented in an oil sector that was active after lifting the siege on it. Other economic sectors were affected by war and division that do not generate revenues in foreign criticism and do not cover local demand, such as industry, agriculture and tourism sectors, where productivity decreases and disguised unemployment is accumulated and does not contribute to the added values of GDP except with proportions that are not compared to what the oil sector contributes or the indicators have emerged to recovery Libyan economy within the following indicators (Al -Jibani, 2018, p.1):

- The reform plan strategy: The economic reform plan launched by the Central Bank of Libya, which includes supporting the oil sector. This means working to raise the productive and export capacity of this sector, as well as increasing the revenues of hard currency from Libyan oil revenues, and thus bridging the deficit in the balance of payments, and accumulation foreign exchange reserves at the Central Bank of Libya.
- The improvement of the Libyan dinar: The economic reform has improved the value of the Libyan dinar and the high exchange rate of the national currency against foreign currencies, which led to the raising of the standard of living of individuals, and eliminated the market parallel to the hard currency, but the Libyan economy should not depend entirely on

the proceeds of the oil supplier. It is necessary to invest in other sectors, otherwise the body of the national economy will remain broken, and crises are sweeping it from time to time in order to succeed in strengthening its immunity towards crises and local or external shocks.

- The high-income growth rate: The growth in the Libyan economy, according to the International Monetary Fund report, the high amount of oil after the outcome of the Libyan crisis will lead to an increase in income from 13 billion to 50 billion in 2018.
- Increasing job opportunities: Economic growth means more job opportunities and a reduction in unemployment and the economic growth account is measured by another standard, which is the GDP. When the total income of each population is divided from the total economy account in rentier countries, it is the real income of the individual is not represented, but rather a hypothetical value that does not reach the individual's hand in a certain way (Al -Jibani, 2018, p.2).
- Treating the distortions of the Libyan economy: where the Al -Wefaq government in Libya adopted its program to reform the economy by developing an urgent plan to address the distortions of the Libyan economy, which is to increase the disbursement of foreign exchange allocations from the dollar to citizens, in addition to raising government support for fuel, as well as the disbursement of the family bonus allocations immediately.
- Addressing the official exchange rate: The Libyan government sought to impose fees from the government on private and commercial transfers while raising restrictions on foreign exchange, but the legal cover of proposed fees, values and mechanism of implementation did not clarify, and emphasize the need to lift support for fuel, without specifying the alternative to the citizen (Xinhua, 2018, p.56).

3.9.2.4. Sovereign (Political) Imbalance

The political divisions and the armed conflicts that afflicted Libya caused the rival Libyan parties to legitimacy and control the country, and the efforts made by the United Nations to unify the rival parties. The "National Accord Government", based in Tripoli, in the West, and the Libyan interim government "based in the City of Al -Bayda and Benghazi. In addition to what the clashes between the militias and the forces loyal to these two governments on the economic sector, public services, the public health sector, and the cause of internal displacement caused for more than 200 thousand people. All this division constituted a state of instability in the political system of the Libyan state, which imposed on the Libyan regime to restore the system and impose the law to achieve stability (Al -Baroudi, 2015, p.122).

International efforts, especially the United Nations have been working with the Libyan parties over the restoration of Libya. The United Nations efforts to ensure good coordination in the political, humanitarian and development fields. In a cooperative manner with each of the national partners inside Libya and international counterparts, in order to support progress that leads to a real shift towards a policy that includes everyone and a participatory transitional process in the post -conflict phase that includes all sectors of Libyan society including women, youth and marginalized groups, and the rational rule based on security and sovereignty. A varied economy and a human development process that includes everyone, and providing humanitarian aid to respond to the existing crisis and based on consultations with Libyan theorists, the United Nations system in Libya has harmonized its plans with priorities. Its national outputs are focused by developing the United Nations strategic framework in the period 2017-2020 and its results on three priority areas:

- Supporting the government's "launch" stage with a temporary framework for development policies, which leads to effective and accountable institutions.
- Ensuring the willingness and response of national institutions without the targeted patriotism and improving their performance in order to enhance

the provision of basic services, the ability to contribute to social bonding and prevent conflicts.

- Enhancing democratic principles of rule, imposing the rule of law, and ensuring human rights -based development for all. These three main areas were chosen in conjunction with the government of Libya due to its direct relationship with Libya's future ability to achieve the process of building the state and the sustainable development goals, and its strong ties to build a unified peace. The agencies, funds, and United Nations programs have provided support in the following fields.
- Immigration and displacement issues: The Nations Authority presented a program related to the system of tracking displacement, societal stability, reintegration, humanitarian aid, capacity building, resignation of lives in the sea, and protecting vulnerable immigrants. The International Migration of Migration Mission in Libya provides assistance specifically designed for the vulnerable category, immigrants and people displaced internally, and host communities.
- Voluntary return to immigrants: The Nations Authority has provided assistance to vulnerable immigrants, who do not have the ability to obtain a generous assistance in the voluntary return of their original countries, and to obtain sustainable reintegration services, especially for weak cases such as human trafficking victims, and child immigrants who are not accompanied by their families, and implement the organization International Migration is a human rights approach, which matches international standards.
- Achieving stability: The United Nations Development Program to support efforts to achieve stability in the critical transitional period, from humanitarian relief to sustainable development and democratic rule. The stability achievement facility in Libya, which was launched in 2016, led by the National Accord Government, is an initiative that includes multiple countries with the support of the United Nations Development Program, with the aim of providing concrete improvements at the local level. Support is provided for the rehabilitation of vital basic structures.

Promote the ability of local authorities to meet the needs of the population and enhance local mediation capabilities and conflict resolution.

- **Transitional Ruling:** The United Nations Development Program with the United Nations Support Mission in Libya since 2001 supported the democratic transition in Libya. The United Nations National Development Commission for Elections helped organize three major elections, including the General National Congress elections in 2012, and the Constitution Drafting and Parliament Committee in 2014. Programs working in this axis focus on promoting political dialogue, helping to formulate the constitution and strengthening the rule of law.
- **Political participation:** The United Nations Development Program helps in empowering Libyan civil society and strengthening the transitional justice paths, and the role of female citizens to make decisions. Cooperation in this axis includes supporting civil participation in the democratic political transformation, working with Libyan women to enhance their political and social participation through the "Amal" project, initiatives to prevent violent extremism, as well as support transitional justice through dialogue and resolving disputes between various sects.

We believe that the insecurity in Libya undermined the process of building the state that was originally difficult, as the post -Gaddafi state was very weak, in terms of political and administrative aspects, which shows the extent of weakness in the public administration in Libya, while the urgent need to build power appears in order to strengthen the state, as general confidence in the democratic political process has declined with the high level of discontent and in the absence of a national state strengthened the regional and tribal sub -actors, and it seeks to adhere to its firm authority. Therefore, the future of Libyan national security is still vague and unclear, given the blurring that envelops the political atmosphere in Libya.

3.10. The Deadliest Sea Route

Although Malta and the Italian island of Lampedusa are only 400 km from the Libyan and Tunisian coasts, the International Organization for Migration describes the central Mediterranean route between North Africa and Italy as the

"bloodiest corridor" in the region for migrants. One in 33 migrants died while crossing from North Africa to Italy in 2019, while one in 51 migrants died in 2017, which means an increase in the death rate of migrants crossing the sea to Europe, without including those who die of thirst. In the desert on their way to the Libyan shores. The UN mission in Libya counted the attempt of more than 7,000 migrants and refugees to cross to Europe via the Libyan coasts, during the first eight months of 2020, more than 300 of who died, with a rate of one death in every 24 migrants, which is a very high rate, reflecting the size of the risks, which migrants encounter at sea. However, this number may not be accurate, given that attempts to migrate are not discovered or counted, as evidenced by that the International Organization for Migration announced, on Wednesday, that the Libyan border guards have returned about 8 thousand irregular migrants from within the Mediterranean to the shores of the country since the beginning of 2020. The worst drowning of migrants this year was the killing of 45 migrants on August 18, when their boat sank off the Libyan coast while trying to cross to Europe.

3.11. Insecure Detention Centers

Noting that Italy and Malta are the countries most affected by irregular migration, Rome signed an agreement with the government in Tripoli in February 2017, to support the Libyan Coast Guard in facing human traffickers and irregular migration processes. Valletta also agreed with Tripoli to establish two centers of "coordination" with Maltese funding, with the aim of confronting illegal immigration in the Mediterranean. However, these agreements are facing criticism from several international and human rights bodies, as the return of migrants and refugees fleeing wars and conflicts or wanting to improve their economic conditions. As Amnesty International (human rights) revealed that "during the three years that have elapsed since the conclusion of the original agreement (with Italy), at least 40,000 people, including thousands of children, were intercepted at sea, returned to Libya, and subjected to unimaginable suffering". The UN mission stressed that "Libya cannot be considered a safe port of disembarkation, as many migrants and refugees who were intercepted at sea were returned to Libya and placed in detention." The United Nations counted about 2,400 migrants and refugees in official detention centers in

Libya, "where they are subjected to serious human rights violations on a daily basis. There are more of them in unofficial sites that were notable to access them." But the numbers of migrants in Libya are much greater, as the International Organization for Migration has documented more than 432,000 migrants in Libya, while their total number ranges between 700,000 and one million migrants. The organization was able to transfer nearly 20,000 migrants in Libya to their home countries voluntarily in 2017. However, many immigrants are waiting for the opportunity to migrate to Europe, despite the civil war in Libya and the spread of the Corona epidemic not, which claimed hundreds of thousands of lives in the world.

The summer season is the peak of the migration season from Libya due to the calm sea and the suitability of the weather, and the last Eid al-Adha, at the end of last July, witnessed large numbers of migrants attempting to board the sea towards Europe, believing the coast guard's lack of vigilance these days. But not a few of them were arrested before take-off, or were rescued at sea after their boats sank, and others whose boats were obstructed in European ports, or were stopped after their arrival on the Italian and Maltese islands, and a part of them managed to escape all these dangers. In light of the deteriorating security and economic conditions in Libya, African and Arab countries, and many young people feeling despair about the possibility of improving their conditions, it is not possible to talk about strong indications of a decline in migration to Europe, and the humanitarian tragedies that accompany it, which people smugglers exploit to make a lot of money up to One and a half billion dollars, according to the International Crisis Group.

3.12. The Effect of Immigration on the Libyan Government

Dealing with immigration in Libya was one of the most complicated challenges in modern history of the country. Many parties are engaged in this situation including institutions, individuals and different countries. At this part, we will clarify the actors which have the ability to transform the current hard policies into more effective alternatives (Van Aelst, 2011, p.56). These actors can be summarized as follows:

- The Libyan ministry of interior: is higher of the Department of Combating Illegal Immigration (DCIM) when it has assigned a new undersecretary who responsible on the immigration to DCIM. This undersecretary supervises all the immigration management issues within the specialist of Ministry of Interior including supporting the DCIM with ability to make decisions, coordination, delegation, following the international non-governmental organizations opiate in the field of immigration and provide the humanitarian assistances to immigrants.
- Department of Combating Illegal Immigration (DCIM): it has been constituted by the Ministry of Interior and aimed to organize the immigration to Libya and apply the law No. 19 for 2010. The law identifies the concept of illegal immigration, put sanctions, and describe the deportation procedures for illegal trafficking and sheltering. As well as, it manages the detention centers, supervise on returning and deporting the immigrants, provide inspection operations and patrols to arrest and prison the illegal immigrants in urban areas.
- Libyan Coast Guards (LCG): this organization was the unique agency for searching and saving responsible on marine operations. Also, it intercepts the boats from Libya to Europe for trafficking immigrants, arrest and detent the traffickers before passing them to the military intelligence to prosecute them. The work of LCG does not restrict on this issue by it also fights the gasoline, arms, narcotics, etc.
- Libyan Ministry of Foreign Affairs (MoFA): the priorities of this ministry were on helping all parties to reduce the illegal immigration by the collaboration with European countries from one hand and the origin countries from other hand. The role of Libyan MoFA was always a critical role to find quick and satisfied solutions for all parties. In 2021, the Libyan minister of foreign affairs stated that illegal immigration is a sad story and humanitarian, security and economic trip. The problem where Libya is suffering and requires a comprehensive and political strategy to be solved.
- Libyan Red Crescent (LRC): LRC is the main agency responsible on recovering and burying the bodies of illegal immigrants who die on the

Libyan coasts but it is not an official part of its job. In order to achieve this goal, a team work has been constituted to manage the bodies. Moreover, LRC provides the help and relief for immigrants especially during the armed situations inside the detention centers and urban contexts.

- Embassies of Migrants' Countries of Origin: many of the immigrants whether they live in Libya or go to Europe from other African and Asian countries. The embassies of their countries play a critical role specially to extract official documents to help their citizens (including passports and national identities).
- Other national stakeholders: The Libyan ministry of health supervises many clinics which conduct medical examinations (blood) for immigrants to check that they are not infected by aids hepatitis, A, B, C, tuberculosis, etc. Ministry of Labor organizes the contraction with foreign labors and changes the illegal situation for some immigrants in Libya. Furthermore, the non-governmental organizations provide the necessary assistance in armed conflicts and negotiate about policies and influence the decision makers, provide the national rules of defense on the rights of immigrants.

3.13. Libyan National Security and the Challenges of Illegal Immigration

In terms of illegal immigration operations, smuggling of guns and drugs is very important issue due to its negative consequences. These traffickers use the best techniques and therefore they can move freely in all parts of Libya especially in the southern parts. The officers confess that they do not dare to ask them and they just turn a blind eye when they see smugglers from far. The Islamist Organizations got together to the south of Libya. It must be mentioned that there is only a few number of Islamist Organizations with Libyan members while the members of many other groups come from outside. Nevertheless, these gangs freely move in the southern parts of Libya. Some of them expanded their operations in north of Libya where many crimes were perpetrated. Far from all of these activities, most of the Libyans accuse the Islamist especially "Ansar Al-Sharia Battalion" where they witness high presence in many large cities such as Sabrata, Benghazi, Sert and Darna. Based on a study conducted by the US Library of Congress, the organization conducted more

than 200 assassination operations against many military and security officials, judges, lawyers, journalists and civilian activists including women. The victims always receive threat SMS messages. The messages start by Quranic passages, followed by advertise that the selection of killing the person has been done based on the will of God. The letter was signed by God's Army (Perrin, 2019, p.12).

On December 2012, the government determined the south of Libya as military region and promised to close the southern borders in a step considered by the western observers as a step on the correct direction towards eliminate the illegal immigration and the trade of arms and drugs. However, the operation was not strong where many members in the Islamist groups were in communication with the members of the National General Congress. Also, there were other members in National General Congress who were previous members in the Islamist Organizations.

They unified their power and initiated strong ally and became a main political power inside the national general congress to secure the main governmental positions for Islamist and enact legislations compatible with political and social beliefs of Islamist. People with different nationalities and belong to Islamist Organizations whether join them or use the south as a safe haven and training land for Libyan Islamist groups with same mentality (Nakache & Losier, 2017, p.62).

Currently, immigrants cross the borders by vehicles while only small percentage of them can cross the borders with such vehicles or official checkpoints in the time of Gaddafi's regime. Most of the vehicles are used to close from borders on desert roads with no marks and they were crossing the borders by walking on feet. Many of people lost their way and died in the desert. There was daily news on the governmental television and other media about these issues. Such news is disappeared where the revolution has caused the transformation of the south to a center of terrorist activity inside and outside of Libya under the control of criminal gangs.

The south of Libya is considered the main source for smuggling the arms to their countries as confirmed by Algeria, Egypt and Tunisia including the surface and

air missiles as those used to shoot down a military aircraft in Sinai desert in 2014. The Chadian president has accused explicitly more than once the armed groups in south of Libya that they expose the security of Chad to danger by providing the haven and training facilities and weapons to the Chadian opposition. Also, he spread his forces in Libya to fight with the armies of Chad and Libya. In addition, the Niger Ministry of Interior invited France and the United States to interfere in the south of Libya because he thinks that it is terrorist incubator. The French Minister of Interior motivated to make procedures against the Islamist Organizations which travel in the south of Libya (Abushahma et al., 2019, p.11). In summary, through the Arab spring, the Libyans rid from one of the cruel tyrants and talked with high and clear voice: “we will establish the democracy and our nation will join to a democratic club”. When the exhilaration faded, most of the Libyans found that the whole event was a beautiful dream. They wake up to see their land was completely destroyed and instead of putting the country on establishing a democratic society, it became obvious that the long suffer extended to 42 years of dictatorship has also destroyed all the major fields including institutions, government, army and law enforcement officers. Moreover, more than 1000 militias were placed the operations of values which promote the social facilitations and cohesion and advocate one small social unity instead of Libya.

In contrast, it is clarified that the government is weaker to put legislations and systems. Despite that the Libyans have succeeded to elect parliament entity and assign temporary administration; the legislative council was always under the pressure of militias. So, the main laws have been approved where some of the militias were desired in “policy isolation law”. The law prohibits any official person in the era of Gaddafi's to practice the governmental activity for 42 years. This means that all its experience has been removed. Despite of announcing of each of the legislative entity and government on constructing and collecting the new national army and the weapons used widely, they failed to fulfill their promise until now. Therefore, they will continue to cross the borders with illegal immigrants and they orient to the north to search about job or participate in all of the criminal activities. Others will choose Libya only to cross towards Europe and they expose to high danger. Some of them are ready to risk in their way across the Mediterranean in

repetitive efforts. Also, the Islamist Organizations will continue to exploit the south to plan to more procedures and make Libya and surrounding countries expose to danger and especially the south of Libya.

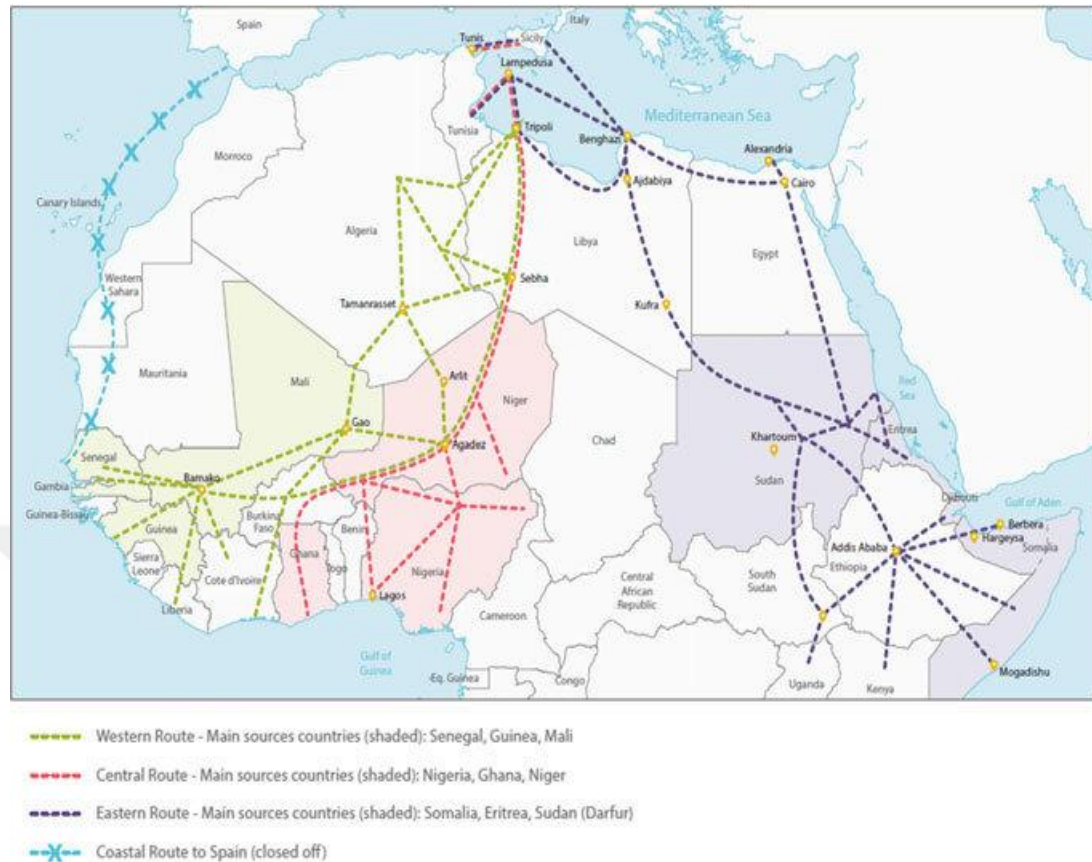
3.14. Libyan Euro-Mediterranean Relations

In October 2016, the UNHCR commissioned suggested initiatives and consultations in Libya which focus on the south of Libya and intended population by UNHCR to conduct search about the directions of mixed immigration. The goals of these imitative can be summarized as follows:

- Follow the growth of directions and roads of mixed immigration to and from Libya.
- Determine the weakness points and the protection requirements for refugees and immigrants in the south of Libya.

The western road of Mediterranean (always across Morocco to Spain) and The Middle of Mediterranean (generally across Libya to Italy) and the road of the east of the Mediterranean are of three roads which transfer the refugees and illegal immigrants to Europe (always across Turkey to Greece). Currently, the road of the middle of Mediterranean Sea is more congested with higher number of travelers across the waters to Europe. Libya is the preferred location to move for African immigrants and refugees who seek to reach to Europe. Recently, there was increasing immigration from Libya to Europe across the waters and it is probable that this movement will continue on this regard. Despite of the strategic location for Libya, violence and instability led to neglect the control of borders and create a climate to the growth of smuggling networks. At the same time, interviews found that instability motivated immigrants and refugees to escape from Libya to Europe across the Mediterranean Sea in Libya. Most of the illegal immigrants and refugees come from Sudan, Niger and Algeria. Sometimes the path of trips passes across Sudan and Chad and rarely, the roads across Niger and Algeria. Despite of their way to Libya, persons with different nationalities and travel motivation constitute flow of immigration (Perrin, 2019, p.12). The main immigration rout of illegal immigrants to Europe is shown in Figure 3.1.

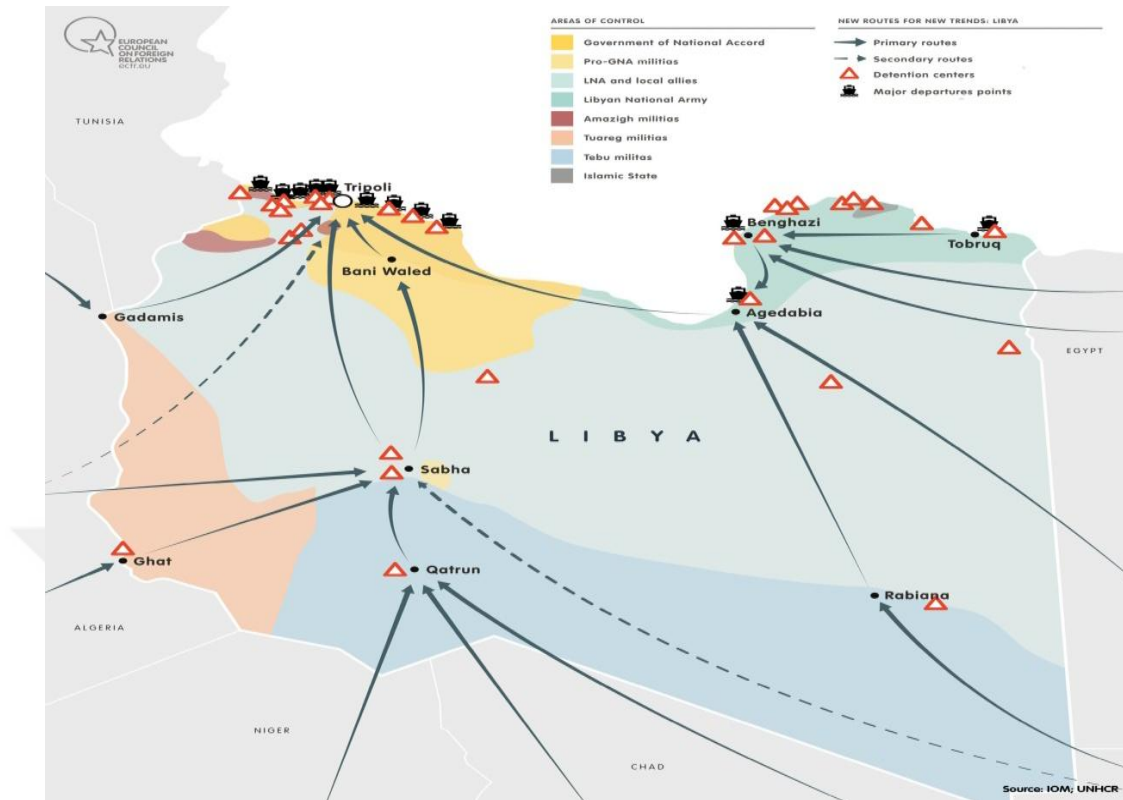
Figure 3.1: Overview of The Main Migration Routes to Europe



Source: Idemudia & Boehnke, 2020.

As the distance between the Libyan coast and the Italian island of Lampedusa is approximately 330 km, which witnesses the arrival of thousands of illegal immigrants every year. With a coastline of 1,770 km, Libya has become a starting point for illegal immigrants trying to cross the Mediterranean on a perilous journey to reach Europe. Since the era of the late Muammar Gaddafi, the Libyans have not been able to control their land borders, which are crossed by hundreds of people, especially from sub-Saharan Africa, who dream of illegal immigration to Europe. Libya shares a land border of about five thousand kilometers with Egypt, Sudan, Niger, Chad, Algeria and Tunisia. The largest influx of migrants comes from northern Niger, where migrants are transported through networks of smugglers who bring them to the Kufra and Sebha regions, which are the most important migrant gathering areas in southern Libya.

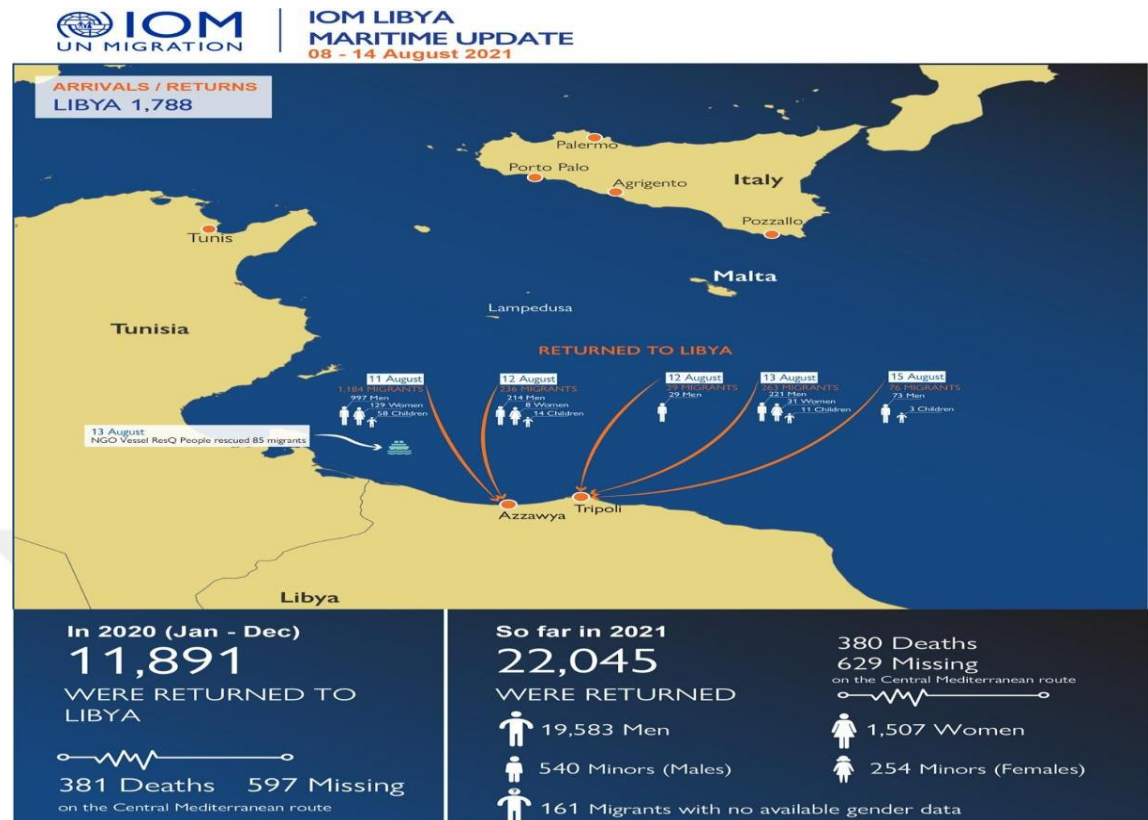
Figure 3.2: Overview of The Main Migration Routes Through Libya



Source: European Council on Foreign Relation, Torelli, 2018.

In recent years, the basic entry points to Libya have not changed. Immigrants and refugees always cross from east of Africa from the Sudan borders to the south of Kufra and the access of west and middle of Africa are basically come from Niger to the south of Sebha. Imsaaed on the borders with Egypt is another entry harbors. However, since 2013, the roads in Libya have changed where the repetitive fight make refugees avoid the northeast of the country. Currently, individuals are rarely pass or stop in Benghazi or Ajdabiya and they travel directly across Kufra region from the east of Africa to the Libyan coast to Bani Walid or Sebha. Those who currently travel stop less than before. It is not probable that they stay in the south of Libya for long periods because of many wars witnessed by the region in recent years. Nevertheless, Bani Walid has been emerged as a new stepping point in its way to the coast. Sebha is the preferred position in the south but transfer across Kufra has been reduced. Other basic points towards the Mediterranean are Zawiyah, Sabratha, Garabuli and Surman to a lesser extent Gargaresh and Tajoura and all of them are in northwest coast.

Figure 3.3: IOM Libya's Maritime Update



Source: IOM Libya, 2021.

The EMP at best is stagnating and the immigration crisis will persist with the continuance of existing patterns and practices. Europe and the southern Mediterranean countries will all lose. That is why a new vision of the cooperation between Europe and the South Mediterranean must be developed: real win-win relationships in the present and future global arena. The EMP falls, and the crisis is affecting trans-Mediterranean migration. If it does not recede, EU trade with the South Mediterranean remains static. The expansion of the EU has long been a priority. This is to the detriment of southern relations. Following the great eastern expansion of 2004 with the acceptance of ten central and eastern European nations, the notion of re-equilibrium emerged.

The Mediterranean European nations have been thinking about establishing a Mediterranean Union to bring the southern shore countries closer to the EU. However, the idea was reduced to the extent that it became a Mediterranean Union. It focuses mostly on sectoral measures. The Barcelona Conference is an even less

ambitious issue that has revealed its boundaries (Al-Dayel, 2021, p.122). With regard to migration, it is clearly apparent that it is not a good idea for bilateral partnerships to solve the full problem (between two countries, or between the EU and each of the nations in South-Mediterranean or in Africa alone). To date, either sub-regional or regional attempts:

- Dialog 5 + 5 solely addresses the Western Mediterranean and does not tackle the migrant issue.
- Nothing tangible on the management of migration flows and their development consequences was brought about by the Euro-African Conferences, first in Rabat in July 2006.
- The establishment of a Euro-African Alliance for Migration and Development may be a proposal in this direction. The African Alliance on Migration and Development has previously been suggested in Morocco. It may be a first step, enabling the worried African states to create a "alliance" with the EU.
- Trans-Mediterranean Migration Future: This is dependent on the conclusion of the political, economic and cultural problems in the area and on the creation of a regulatory and operational migration management framework. The nations of Europe and the South and East Mediterranean presently face a migration crisis since they are failing to implement national, regional, and in particular European and Euro-Mediterranean migration in due course for development policies (Achnich, 2021, p.11).
- Following the last crisis, the revival of migrant flows was noticed, the penultimate being in the early 1970s. As demographic imbalances exist on both sides of the Mediterranean, the amount of new migrants and refugees arriving can be expected to recover from trans-Mediterranean migration flows as growth rises and Europe 'digested.' Yet flows will change according to intensity, geographic dispersion and features depending on some people's demands and availability for others: migration kinds, temporary, cyclical or long migration, skill level and specialty levels.

3.15. Libya-Europe Relations in Light of Migration

Libya's relation with Europe is mainly seen through its location geographically along the southern edge of the Mediterranean and for being a major source of energy to a number of European states. Since the suspension of UN sanctions against Libya in 1999, the European Commission and a number of European states have increased expressed interest to establish closer links with the oil-rich country. While this can be seen largely through European intentions to dominate the Mediterranean region, as demonstrated by its regional policies such as the Euro-Mediterranean Partnership and secure trade and energy sources, another concern is to get the help of Libya in the externalization of Europe's border security and migration management and control (Joffe, 2016, p.12).

Migration is not a recent phenomenon in Libya. The North African country has for decades been home to migrate who made it their final destination while others used it as a transit on their way to Europe. In 2009, just two years prior to the ouster of strongman Mu'ammar Gaddafi, there were at least 2.5 million migrants on Libyan territory. Considering its central location in the North African coast, Libya has over the years become popular as a gateway for migrants from sub-Saharan Africa determined to reach Europe by sea (Lutterbeck, 2006, p.56). Most of them came from Africa while some came from Asian countries such as Bangladesh and the Philippines.

Libya was a pole of attraction for many migrants across the less-developed world seeking employment as Libya was the region's richest oil-producing country during Gaddafi era (Baldwin-Edwards & Lutterbeck, 2019, p.10). The number of these immigrants has not changed much despite the instability that has unleashed in the country since. However, while Libya was traditionally a destination country for many migrants, it has lately been mainly a stepping-stone country to Europe. As a result, this phenomenon has been a key factor conditioning relations between Europe and Libya and in particular those closer to Libya such as Italy and Malta.

As of mid-2000s, the EU and particularly Italy, saw the need to enter into a deal with Libya that will implement an externalization policy of migrants and asylum

seekers even as Libya was not recognizing UNHCR and the 1951 Convention, coupled by a poor record of treating migrants (Hamood 2008, p.4). Agreements such as the 2008 Friendship Treaty between Italy and Libya were signed in which Tripoli was to contain and push-back illegal immigrants trying to reach Europe on behalf of Italy. To achieve this, the Libyan regime clamped down on illegal migration from its borders, conducted joint patrols along the Mediterranean Sea, while Italian companies were awarded to carry out electronic controls along the southern borders of Libya. Furthermore, this deal was used in successive governments to conduct 'pushback' operations of migrant boats to return them to Libya despite the practice being in violation of the European Court of Human Rights.

Meanwhile, some North African states manipulated migration to lure Europeans into supporting their dictatorships and turn a blind eye to the gross human rights violations of human rights against political rivals and citizens in general. During Gaddafi's era, Libya would often claim that it was doing its best to curb the flow of illegal immigrants from its territory but would claim to struggle to do that due to its long coast that is difficult to patrol. But studies on illegal migration via Libya under Gaddafi suggests that there was general tolerance to allow the passage of migrants in and out of Libya and that Libyan security agencies were profiting from the human trafficking business through bribes (Lutterbeck 2018, p.21). As such, there was rapid and sharp decline in migration from Libya to Europe following the agreement, a proof that with political, illegal immigration from Libya towards Europe could be controlled.

Following the violent ouster of Gaddafi from power in 2011, Libya descended into chaos and over 1.2 million nationals of different countries fled Libya. Although the vast majority ran to nearby Egypt and Tunisia, just about 27,000 of them fled to Italy and Malta (Baldwin-Edwards & Lutterbeck, 2019, p.16). As Libya's instability worsened, more migrants continued to leave in an attempt to reach Italy in the following years. By 2015, there were at least 20,000 arrivals in Italy every month (UNHCR, 2016, p.10). Majority of the fleeing migrants were from sub-Saharan Africa with Eritrea leading with 26%. At least 5% were Syrians. The trend continued in 2016 with the demographic profile of arrivals indicating s over 70% of

them to be adult males, while unaccompanied children constituted a total of 14% of the migrants.

On the other hand, the number of death toll among migrants in central Mediterranean rose with at least 5,000 fleeing migrants dying or reported missing at sea in 2016 which was mainly due to use of ineffective boats for crossing the sea (Baldwin-Edwards & Lutterbeck, 2019, p.39). The mass influx of migrants continued to alarm the EU, and by July 2017, the body stemmed up efforts to curb the mass migration through Libya which consequently yielded results. There was massive reduction in the number of migrants reaching the shores of Italy, from approximately 23,000 in June to around 4,000 in August.

3.15.1. Migration through Libya in Post-Gaddafi Era

Following the toppling of Gaddafi, the situation of migration became unpredictable and chaotic just as the general political dynamics in Libya have become. Power struggle among different Libyan sides increased creating dozens of armed groups that do not fall under the legitimate government's command. This atmosphere has created incoherence on the issue of migration control in Libya. A number of key ministries – the Defense Ministry, the Ministry of Interior, the Finance Ministry, the Libyan Intelligence Service, and the Libyan Coast Guard, were among institutions with tasks related to dealing with migration. This made the situation of migration control in Libya 'very complex' for Europe as a result of overlapping tasks among the bodies (Baldwin-Edwards & Lutterbeck, 2019, p.59).

The Directorate for Combating Illegal Migration (DCIM), which falls under the Interior Ministry, is the principal body dealing with the issue of migrants. While in theory the DCIM is in charge of migration detention centers (DCs), these centers are in reality under the control of independent militia (Toaldo 2015, p.62). According to the UNHCR, there are at least 31 known DCs for illegal immigrants across the North African country with 24 of them being under the control of the DCIM).

The UNHCR and IOM, through the Detention Task Force, manage 11 of these centers. The DCs are known for extorting prisoners for ransom for their release

(Toaldo 2015, p.87) with migrants held in there without accessing legal rights and under inhumane conditions and subjected to torture and different forms of abuse.

As a result of the security vacuum in post-revolution Libya, the scale of human smuggling spiked. The ongoing turmoil has made it challenging to determine what role different actors play in this respect. However, what is clear is that the several armed groups and militias controlling different parts of Libya's divided enclaves claiming legitimacy over their control, have emerged as key players in the smuggling of migrants most times as part of other criminal activities. Hence, as instability and divisions persist in Libya, militias have become increasingly involved in migrant smuggling to get funds to buy weapons and for usage in military operations.

In addition, smuggling networks in Libya enjoy strong regional relations with other criminal gangs across the Sahel and the Maghreb regions with whom they cooperate in smuggling migrants (Shaw & Mangan, 2014, p.11). Another factor encouraging migrant smuggling in Libya is the almost total collapse of the Libyan economy that has forced Libyans especially those inhabiting along the country's border and coastal areas, often with the help 'stranded' African migrants acting as middlemen, to benefit from the 'booming' business of migrant smuggling.

The arrival in Libya of Syrian refugees in 2012 helped transform the informal and uncoordinated smuggling activities into a more professional, organized and integrated form of organized crime. This, he argued, is because of the Syrians' "substantial numbers and purchasing power [that] helped hasten the changes taking place in the smuggling business. Militias who consider them to be 'revolutionary' who control the detention centers and who work outside the control of the country's Interior Ministry are believed to lead the smuggling operations (Toaldo 2015, p.78). The militias use the the detention centers, sometimes with the support of Libya's 'official' institutions, to force migrants to pay ransom and bribes to secure their release hence providing these groups with lucrative sums of money.

Movement of illegal immigrants through Libya towards Europe is partly due to the exiting of resident migrants living in the country since the Gaddafi era and

partly due to the continuation of the flow of new waves of illegal migrants into Libya. Most of these new migrants undertake precarious and long journeys across Africa and vulnerable individuals among them like women and children are increasingly at risk of sexual and physical violence and abuse. European countries' attempts to push-back these desperate and vulnerable migrants cooperate with Libyan actors in control migrant flow despite the dangers facing these migrants.

3.15.2. Europe's Responses and Cooperation with Libya

For the better part of the past decades, Italy was largely left alone to deal with the increasing flow of migrants from Libya. This includes operation Mare Nostrum SAR between 2013 and 2014 which saw around 150,000 rescued and received in Italy. As for the European Union, although it launched the EUBAM border assistance mission in Libya, the mission's operation scale was largely limited with just 16 experts. The mission was in 2014 forced to relocate to Tunis due to the worsening conflict in Libya and hence their activities were largely restricted to conduct a 'mapping' of the Libyan border control institutions.

The EU's efforts were thus not able to back-up the Italian Mare Nostrum Operation. It took the EU a number of mass drowning of immigrants including the drowning of around 700 immigrants when their ship capsized off the coast of Lampedusa on 19 April 2015 for its EU to act and prevent more loss of lives, counter human smuggling activities and curb illegal immigration. On 18 May 2015, an EU military operation was announced in the Mediterranean under the name EUNAVFOR-MED which was later in September that year changed to Operation Sophia after a baby born aboard one of the ships operated by the mission off Libyan coast (Baldwin-Edwards & Lutterbeck, 2019, p.33). This operation's main objective, as it states, is to disrupt "the business model of human smuggling and trafficking networks in the southern central Mediterranean and prevent loss of life at sea".

The operation was designed to be implemented in four phases: "the deployment of forces to build a comprehensive understanding of smuggling activity and methods, and this phase is now complete; [foreseeing] the boarding, search,

seizure and diversion of smugglers' vessels on the high seas under the conditions provided for by applicable international law; [conducting] operational measures against vessels and related assets suspected of being used for human smuggling or trafficking inside the coastal states territory; “withdrawal of forces and completion of the operation”.

The model the EU operated in Operation Sophia was mainly inspired by previous Operation Atlanta implemented off the Horn of Africa for maritime security that targeted piracy activities off Somalia's coast. Operation Sophia began implementing its first objective in October 2015 which did not require a UN Security Council resolution since it was not more than surveillance in international waters. However, the remaining objectives required using Libyan territory and hence necessitated either the approval of Libya or that of the UNSC. These were granted by the UNSC on 9 October 2015 limited for one year period. However, the mandate was extended in June 2016 by a year in addition to “training of the Libyan coastguards and navy [and] contributing to the implementation of the UN arms embargo on the high seas off the coast of Libya” (EUNAVFOR MED, 2022). The operation was further extended by the EU Council to on 25 July 2017.

Italy, a traditional European player in the stemming of migrants from reaching its shores and Europe in general, was again at the forefront of EU's efforts to seek deeper cooperation with Libya's authorities on migration management and control. It thus signed a bilateral Memorandum of Understanding (MoU) with Libya's GNA in 2017 endorsed by the EU. The deal clearly stated the 2008 Friendship Treaty as its reference and commits to assist Libyan security forces in improving their capacity to curb irregular migration which will include the initiation of a monitoring system along the country's southern flank (Baldwin-Edwards & Lutterbeck, 2019, p.35). It also committed to financially support Libya in promoting economic development in areas across the country that have been affected by illegal migration while also stating its desire to improve the provision of better health care in migrant detention centers – without, however, creating independent monitoring mechanism to ensure the moves are implemented (Toaldo 2017, p.22). After the agreement, Italy concluded a deal with Libya's southern tribes and mayors to stop

migration in to Libya from neighboring Chad, Niger and Mali in return for financial, a move that lacked transparency and raised concerns over the funds going to rival militias in the country.

3.15.3. Curbing Migration into Libya from The South

Besides strengthening its maritime patrol operations in the Mediterranean and re-engaging Libya in migration management control, the EU has extended its efforts further south in countries like Niger and Mali to curb illegal migration across Libya's southern borders. Immediately after the popular protests of 2011 in Libya that toppled Gaddafi, the EU initiated measures to enhance its policies in the Sahel region by launching the 'Strategy for Security and Development in the Sahel'. In the beginning, the policy's focus was somehow broad in which the EU sought to combat the region's numerous security and development challenges like "extreme poverty, the effects of climate change, frequent food crises, rapid population growth, fragile governance, corruption, unresolved internal tensions, the risk of violent extremism and radicalization, illicit trafficking and terrorist-related security threats" (Baldwin-Edwards & Lutterbeck, 2019, p.32).

The strengthening and enhancing of regional cooperation between countries of the Sahel was key for EU's goal including creating capacity-building projects crucial for the concerned governments. These efforts bore fruits the following year when the EUCAP Sahel Niger mission was established with the approval of Niger. The main objective of this mission was to create an "integrated, coherent, sustainable and human rights-based approach among the various Nigerien security agencies in the fight against terrorism and organized crime". In recent years, however, the EU's Sahel strategy has increasingly adopted an anti migration approach hence creating a lot of overlap between the Sahel strategy and the European Agenda on Migration' 'Partnership Framework' approach. This led to the adjustment of the EUCAP Sahel Niger mission's objectives which began to include the prevention of illegal migration through Niger into Libya and its recognition as key objective of the mission. Key steps taken under these adjustments was included the setting up of a field office in

Agadez whose key function is to train Nigerien authorities and security forces in issues related to “document forgery, trafficking in human beings, and criminal investigation methodology”.

These measures were bolstered more in 2017 with the opening of an EU Migration Liaison Officer in Niger capital Niamey, while a number of other countries along migration of central Mediterranean also became known as ‘priority partners’ by the EU’s Partnership Framework policy. These countries included Senegal, Ethiopia, Nigeria, and Mali. Countries like Mali and Niger have been given funds by the EU to support returned migrants and create job opportunities for them as a way of reducing the flow migrants to Libya and consequently to Europe (Estevens, 2018, p. 6).

In sum, Libya and European relations have been greatly shaped by the latter’s concern on illegal migration. The EU has mainly used externalization approaches as its chief migration control policy to prevent migration from Libya, as it has been using with other countries that are major transit migration countries such as Turkey. Over the years, the EU has pursued this approach by collaborating with the Libyan Coast Guard and other local actors in the country through various agreements. While these measures have greatly reduced the number of seaborne migration across the central Mediterranean, they have raised concerns over inhumane treatment of desperate migrants including women and children who are at risk of dying in the course of their journeys, or face various forms of abuse and torture in detention centers.

3.16. The Role of Interests in Libyan-European Relations

The European Union (EU) has significant vested interests in a Libya that is peaceful, secure, successfully unified, and affluent. The European Union (EU) aspires to help the nation of Libya and the people of Libya in returning to peace and restarting the transition to democracy. This goal will be accomplished via diplomatic action and bilateral assistance. The attempts at mediation in the Libyan conflict that are being conducted by the United Nations (UN) have the full backing of the European Union. The European Union is one of the most significant contributors of

aid to Libya. The European Union (EU) programmes seek to improve civil society, human rights and free media, democratic government, health care and the response to COVID-19, entrepreneurship, youth empowerment, and gender equality (Joffé, 2016, p.33).

In the context of the European Union's aid to Libya, the protection and assistance of migrants, refugees, and other vulnerable groups, as well as support for Libyan communities that are home to an especially high number of migrants, and efforts for border control, play a significant role. These include providing assistance, such as by way of technical trainings or equipment, to increase the capabilities of Libyan authorities to perform life-saving efforts at sea in conformity with international law. Specifically, this relates to the situation in the Mediterranean Sea. In addition, the European Union is collaborating with the International Organization for Migration (IOM) and the United Nations Refugee Agency (UNHCR) to make it easier for people to leave Libya voluntarily or for humanitarian reasons (Lutterbeck, 2019, p.18).

Ten years have passed since the beginning of the turmoil in Libya. It has had a considerable effect on the amount of oil that Libya produces. It is not yet clear whether or not Libya's oil output will improve and become more stable in the near term as a result of the newly installed transitional administration and the move toward democracy. However, given that Libya has the greatest known oil reserves in Africa and the ninth largest in the world, it is certain that the country's roughly 48.8 billion barrels of oil will ultimately flow, which may provide an opportunity for the European oil market to benefit from a windfall. The oil industry in Libya offers the best opportunity for the nation to achieve economic success. However, due to the fact that there are several parties, both local and international, competing for access and dominance, It is still unknown whether or not the people of Libya will get any benefits once the country's oil output returns to the levels it had before the conflict. Additionally, there is a possibility that the continuing violence would be fueled further by the fight for control of the oil field in Libya (Joffé, 2018, p.41).

Before the leadership of Muammar Gaddafi was overthrown, Libya had the capacity to produce 1.7 million barrels of oil per day. At the beginning of the war in

2011, Libya was originally stable enough to maintain oil production, despite the fact that output had already started to gradually fall. In 2012, the quantity of oil imported into Europe from Libya accounted for ten percent of the total. In spite of this, escalating tensions between Libya's competing administrations, the GNA and LNA, as well as rival militias such as The Petroleum Facilities Guard (who were formerly in charge of protecting Libya's vital energy infrastructure), led to the destruction of a significant portion of the country's energy infrastructure. By 2015, the sole infrastructure that was functional was located in the Sarir cluster field in the east, the Sharifs port in Tobruk, and a few of platforms off the coast of Tripoli (Zoubir, 2019, p.6).

Both the GNA and the LNA are engaged in a battle for command of the nation's oil reserves. Because it is controlled by the state, the General National Administration (GNA) has authority over the National Oil Corporation (NOC). The NOC is the only organization that is authorized to handle and sell oil produced in Libya. The LNA, on the other hand, has used strategies such as the seizure of Libya's so-called "oil crescent" in an effort to undermine this monopoly. Several European oil firms, such as Total, Repsol S.A., and Eni, have been operating in Libya for decades, and their businesses have been badly hindered by the civil war that has been going on there. Eni is the biggest oil producer in Libya that is owned by a foreign company; nevertheless, it is experiencing increased competition from Total, which is expanding throughout the nation (Pradella & Taghdisi Rad, 2017, p.182).

Following the conflict in Ukraine, the European Union has been more worried about decreasing its dependency on Russian oil. The oil that is produced in Libya provides the union with a strategic edge in this regard. If there was no fighting in Libya, its oil production may be sufficient to reduce Europe's reliance on Russian oil. Since the beginning of the Arab Spring in 2011, the European Union has, for the most part, disregarded the war in Libya. However, Europe has suddenly become aware of the repercussions of instability in North Africa as a result of the recent engagement of Russia and Turkey in supporting Libya's alternative governments (Urciuoli et al., 2016, p. 56)

France and Russia support the Libyan National Army (LNA), while Italy and Turkey support the Government of National Accord (GNA). Although Europe has made it clear that it has a shared interest in gaining access to Libyan oil and ensuring the continued stability of the region, European countries do not share a unified position on the political leadership of the country. As a matter of fact, the situation in Libya has only gotten more complicated since European governments have intervened in the fight there to seek their own, sometimes competing objectives. As a result, the conflict has become a proxy for disagreements between other international powers. The interests of Russia in Libya are a danger to the interests of the European Union (EU), but perhaps a bigger threat is posed by the refusal of EU member states, in especially France and Italy, to pool their individual interests for the benefit of the EU as a whole (Brambilla, 2015, p.12).

In the backdrop of the crisis in Libya, Europe has been given the appearance of being feeble and unimportant due, in particular, to the lack of interest shown by the collective members of the European Union. It's not that Europe is unable; it appears that it's reluctant, according to Tarek Megerisi of the European Council on Foreign Relations. Since Libya is essentially in Europe's backyard, the stabilization of the nation and, more generally, North Africa should be regarded an EU priority. When the situation in Libya involves numerous geopolitical problems, such as migration, security, and counterterrorism, which the bloc professes to be so worried about, the block's unwillingness to engage creates a hazardous precedent (Lutterbeck, 2018, p. 8).

3.17. Covid-19 Impact On Illegal Immigration

The beginning of the COVID19 health crisis in Libya has had a significant impact on the capacity of migrants to acquire means of subsistence and chances for work. Curfews, movement restrictions, the interdiction of all gatherings, and the closure of all shops that are not essential were some of the measures that were implemented by the Libyan authorities on 24 March 2020, the same day that the pandemic reached Libya. These measures were taken in an effort to combat the further spread of the virus. Because of these constraints, some subsets of the population were exposed to a significant economic risk, and certain groups were

rendered more susceptible as a result. A recent REACH study on the impact of Covid-19 on vulnerable communities highlighted the fact that as a direct result of the government-imposed confinement, many migrant day laborers have been deprived of their sources of income for reasons such as the loss of their jobs or the closure of the places where they operate (Daw, 2020, p. 4).

Even with the ongoing violence and the country's stringent immigration laws, Libya continues to draw a significant number of newcomers. Work is a significant and often essential factor for migrants in Libya, regardless of whether one views Libya as a stopover on the way to Europe or as a destination in and of itself for employment opportunities. Previous study has underlined the dependence of the Libyan economy on foreign workforce, with migrant workers balancing out the labor deficits in key economic sectors in order to keep the economy functioning normally (Elhadi et al., 2021, p.27)

Migrants in Libya usually participate in low-skilled and unstable kinds of economic activity. Additionally, they benefit from very little to no protection, and irregularity is a prevalent characteristic of Libya's migrant community. Since of this, and because there is no legal structure in place to defend the rights of migrants, migrants often find themselves vulnerable to a wide variety of protection problems, both outside of and inside the context of their place of employment (Daw et al., 2021, p.33). In previous analyses, the significance of the role played by informal labor intermediation in facilitating migrants' entrance to Libya's labor market was underlined. Nevertheless, unrestricted labor intermediation may result in abuses of human rights committed by intermediaries, such as forced labor and the trafficking of people for labor purposes.

In addition, the already hazardous living circumstances of migrants in Libya have become even more dangerous as a result of the outbreak of COVID-19 in the nation and the implementation of preventative measures to curb the virus's spread. These restrictions posed a significant threat to the financial stability of migrants living in the nation and made it more difficult for them to get access to sources of income and work opportunities. A recent REACH research on the effects of COVID19 on vulnerable populations discovered that many foreign workers have lost

their sole source of income as a result of issues such as the loss of their employment or the closure of the firm where they were employed (Polo, 2020, p.30)

IOM has reported that the estimated number of refugees and migrants who have been present in Libya since the beginning of the COVID-19 pandemic has decreased from 625,6382 people who were identified as being in the country between March and April 2020 to 574,1463 people during the months of September and October. This number includes refugees. In addition, the International Organization for Migration (IOM) estimates that approximately 80, 000 migrants have fled Libya for countries that are nearby. This exodus was most likely caused by ongoing restrictions on mobility as well as disrupted opportunities for making a living as a result of the COVID-19 pandemic in the country (Mahmoud et al., 2021, p.20)

It is possible that migrants were especially exposed to the virus during the spring and summer of 2020. One of the epicenters of COVID-19 infections in Libya was reported to be in Sabha, which is an important hub on migration routes. It is still unclear how many migrants have been infected with or have succumbed to COVID-19 in Libya; but, as of the beginning of June 2021, there had been a total of over 186,072 confirmed cases of COVID-19 in Libya, and there had been more than 3,000 fatalities. On the other hand, the low and inconsistent testing rates throughout the nation lead many professionals to conclude that these figures are substantially lower than they really are. As a result of years of fighting, the capacity of the country's health care system has already been considerably degraded. Over the course of the conflict, a number of health care institutions have been destroyed or shut down, which creates obstacles for testing for and treating COVID-19. Basic measures to avoid the spread of viruses, such as washing one's hands, are put in jeopardy when there is a risk to the water supply. Migrants continue to be particularly at risk of experiencing the negative consequences of many of these issues, including discrimination and barriers to accessing health care and a sufficient standard of living. Although many of these problems affected everyone who lived in Libya, migrants continue to be particularly at risk of experiencing the negative consequences of many of these issues (Sanchez & Achilli, 2020, p.4).

Migrants who passed through or stayed in Libya have reportedly been subjected to unspeakable atrocities, a fact that has previously been well documented by the Office of the High Commissioner for Human Rights as well as a large number of other United Nations and civil society organizations. As they make their way across the desert in the south to the cities and coast in the north, they have been subjected to a variety of human rights violations and abuses along the way. These include unlawful killings, torture and ill-treatment, arbitrary detention and unlawful deprivation of liberty, rape and other forms of sexual and gender-based violence, slavery and forced labor, extortion, and exploitation by both State and non-State actors. The Office of the High Commissioner for Human Rights has mentioned in the past that migrants, particularly those who are in what is known as a "irregular situation" in Libya and those who are being held for immigration purposes, have very limited to no access to public health services, including emergency services.

The United Nations Office for the Coordination of Humanitarian Affairs stated that the number of migrants in Libya decreased in the year 2020. Some estimates suggest that as many as 80,000 migrants may have departed the country during that time. However, for the estimated nearly 600,000 migrants who are still in Libya, as described throughout this report, the COVID-19 pandemic has only made human rights challenges worse by making mobility even more difficult, conditions of daily life and of detention even more dangerous, and exacerbating health and safety risks. This is because the pandemic has caused an increase in the number of people infected with COVID-19 (Daw et al., 2021, p.12)

Even though the health care system in Libya is generally in poor shape, migrants in Libya have a far more difficult time gaining access to medical treatment. According to the findings of the Humanitarian Needs Assessment for Libya for 2021 conducted by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), during the COVID-19 pandemic, 64 percent of migrant and refugee households reported difficulties in accessing health care, whereas only 50 percent of Libyan households reported the same problem. Despite the fact that discrimination is against the law and that everyone in the country has access to primary and

emergency medical care, there are a number of obstacles that prevent migrants from having full and equal access to the highest attainable standard of health care.

This is especially true for migrants who have a status that is considered to be irregular. Many migrants in Libya are forced to reside in conditions that significantly increase the likelihood that they may get infected with COVID-19. In particular, they live in situations that are often overcrowded, without essential water and sanitation facilities, and without the opportunity to take preventive hygiene precautions or physically separate themselves from others.

On the other hand, it has been claimed that the authorities in Libya have not made too much of an effort to take into consideration these hazards or to guarantee that migrants are included in illness prevention and treatment activities. For instance, according to reports, in the city of Sabha, located in the south-western region of the country, efforts to raise awareness were carried out by local health officials primarily in the Arabic language. This excluded communities of English- and French-speaking migrants, and local activists attempted to cover the gap. According to the findings of a study conducted in April 2020 among migrants currently residing in Tripoli, forty-five percent of respondents were ignorant of how and where to seek medical attention in the event that they encountered COVID-19 symptoms (Daw et al., 2021, p.5).

One center went from less than 25 occupants to more than 1,000 in a matter of weeks, and more than 500 children were newly detained between March and September of 2020, according to reports that indicated dramatic increases in the number of migrants being held in detention centers in Libya in October 2020. This was largely due to an increase in search and rescue operations by the Libyan Coast Guard in the central Mediterranean Sea, which was accompanied by a reduction of such activities by other State and non-State actors. During this same time period, the number of COVID-19 cases that were recorded in Libya grew by 150 percent. The United Nations High Commissioner for Refugees (UNHCR) estimated in April 2021 that there were around 4,000 people being detained in official migrant detention centers in Libya. These centers are located throughout Libya (Mahmoud et al., 2021, p.22)

The Office of the United Nations High Commissioner for Human Rights (OHCHR) issued a report in 2018 stating that circumstances in detention centers for migrants in Libya were typically inhumane and fell well short of international human rights standards. During their inspections, UNSMIL found that the centers in question suffered from congestion, poor hygiene, inadequate lighting and ventilation, and limited access to washing and sanitation facilities. As a consequence of the preventive movement limitations that were in place during the COVID-19 outbreak, access for humanitarian organizations to these correctional centers was more restricted than it normally is. Overcrowding in detention centers in Libya made the humanitarian situation "dangerous and challenging" in October 2020.

Entities within the United Nations system expressed their worry that circumstances would make migrants more susceptible to the spread of infectious illness. Observers expressed concern that the overcrowding and limited opportunities for social distancing in detention centers would facilitate the rapid spread of infectious diseases such as COVID-19. The number of confirmed cases that were recorded in the detention centers of al-Mabani and Abu Salim in 2021 is unknown, and after that year, no steps were taken to trace infected individuals' contacts or isolate them from the general population (Mahmoud et al., 2021, p.24)

It has been noted that anti-COVID-19 efforts that were taken inside of detention centers, such as the sanitization of surfaces, were ineffectual and failed to address the wider and more persistent issues of human rights. In July of 2020, concerns were raised regarding the widespread unavailability of COVID-19 testing to migrants across the country. This was especially concerning for migrants who were being returned from attempts to cross the Mediterranean; these migrants were typically sent directly to detention centers without first undergoing any health screenings. It was reported that no tests had been conducted on more than 3,100 migrants who had been returned to Libya since the virus was identified there. On the other hand, 28 migrants who had departed from Libya tested positive upon arrival in Italy. This suggests that the cycle of embarkation, return, and detention might offer opportunities for the disease to spread without being detected, and it required specific measures to keep migrants safe (Sanchez & Achilli, 2020, p.122).

In March of 2020, Libya implemented new public health policies, some of which included the closing of a number of access ports along its land borders, as well as limits on the country's internal travel. More than half of the more than 8,000 migrants in Libya, Tunisia, and Sudan who were questioned between June 2020 and February 2021 stated that the pandemic was limiting their mobility within the country in which they were located, and close to forty percent stated that it had impeded their ability to cross national borders. The survey was conducted between June 2020 and February 2021. Even higher rates of mobility limitations were observed by data obtained earlier in the pandemic: in one survey carried out in May 2020, more than eighty percent of migrants in Libya claimed that COVID-19 had an influence on their capacity to travel across borders and inside the nation (Sanchez & Achilli, 2020, p.39).

As a direct consequence of this, there have been a number of stories of migrants being stuck both within Libya and in the desert outside of the country's borders, as a direct result of the closing of borders and forced returns by the Libyan Government. The Office of the United Nations High Commissioner for Human Rights (OHCHR) voiced concerns in April 2020 regarding high numbers of forced returns and collective expulsions from Eastern Libya. The OHCHR noted that at least 1,400 migrants had been expelled already that year, without access to asylum or other protection needs, legal assistance, or other critical due process and procedural safeguards. The Office of the High Commissioner for Human Rights (OHCHR) said that all decisions and processes for repatriation should be reevaluated to ensure that they are consistent with the right of migrants to health as well as larger public health plans. Despite this, the Libyan authorities at the Directorate to Combat Illegal Migration (DCIM) utilized COVID-19 as a cause for removing migrants from Libyan territory on the grounds that the migrants were infected with communicable illnesses (Sanchez & Achilli, 2020, p.50).

Some research suggests that as a direct result of the pandemic, migration routes in Libya and the surrounding region may have become more dangerous. This is particularly the case across the Sahara Desert, where travel conditions are already dangerous and there is limited access to medical facilities. Some reports suggest that

migrants in the region are becoming more reliant on smugglers, and that as a result of the increased dangers faced, the costs that migrants are required to pay to smugglers are rising. Moreover, some of these reports suggest that migrants in the region are becoming more dependent on smugglers. More than a quarter of migrants surveyed in North Africa between June 2020 and February 2021 reported a greater reliance on smugglers to facilitate their movement as a result of the pandemic. Additionally, close to one half of migrants said they had experienced greater risks of arbitrary arrest and detention, extortion, and theft. The survey was conducted between June 2020 and February 2021 (Mahmoud et al., 2021, p.29)

Although migrants' abilities to enter or move around in Libya were restricted during the time period covered by this report, for many of them, the pandemic also made it difficult for them to leave the country. This was true whether they were trying to go back to their countries of origin or to third countries, or whether they were trying to continue on to other destinations. In addition to the forced deportations that have been recounted above, it is unclear whether or not appropriate safety measures have been taken. As a result of the virus, refugee resettlements and humanitarian evacuations out of Libya were drastically slowed and halted for a period of between five and seven months between the months of March and August (for IOM) and October (for UNHCR). OHCHR and a number of other international organizations have emphasized that even though countries are closing their borders and limiting cross-border movements, there are ways to manage border restrictions in a manner that respects international human rights law and international refugee law norms and standards, including the principle of non-refoulement. Some of these ways include quarantine and health checks (Mahmoud et al., 2021, p.38)

Is COVID-19 going to extend Libyan and Syrian conflict or will those wars worsen the expansion of the pandemic? The reply is not that easy. In both nations, recent developments have demonstrated a dynamic and not a one-way connection between a pandemic and conflict. The fragmentation of Syria precludes effective COVID-19 reaction while at the same time compounds the fragmentation of Syria. Although containment measures have been adopted in part throughout the country, combat continues. Neither of the key external players has modified their course such

that humanitarian needs stemming from the epidemic may be effectively addressed. Likewise, despite UN Secretary General's call to a universal *cessez-le-feu* in March, violence in Libya has increased. War left healthcare systems unfit to deal with a crisis of this size in public health, and recent attacks on Libyan hospitals will worsen the issue. Emadeddin Badi points to a further complex factor: the geopolitical consequences of the epidemic in Libya. He cautions that a larger national building process in Libya will be another blow as International stakeholders give priority to their involvement in hybrid local players. These players are viewed as instruments for managing the spread of instability. At the same time, armed Libyan factions may use their weapons to further their political and social influence in a public health crisis.

In Syria, however, it is argued that the epidemic will not be a turning point and that it will not influence the direction of the conflict. At a time when collaborative effort is necessary to eliminate the epidemic, warring groups in Syria and Libya are always betting on a military solution. In fact, in these nations, COVID-19 probably will not become an important driver of conflict dynamics. The effects of this conflict, by reducing the ability of the state, fragmenting sovereignty, and escalating violent fighting over resources, will instead be exacerbated. With the lack of economic buffers in state and sub-state organizations to deal with the impact of COVID-19, this effort to control resources will deepen (Klepp, 2011, p.5).

3.18. Combating Illegal Immigration in International Law

It is based on a set of points that are measures taken on the steps taken by the illegal immigrant. These mechanisms are:

- Securing the visa and monitoring travel and identity documents: by introducing an amendment regarding the information system on the joint visa, to facilitate the exchange of information on the one hand, and to combat fraud and fraud against the phenomenon of visa purchases, and contribute to the control of the external and internal borders of member states, and helps to identify and return illegal citizens to their homelands. The technical characteristics, security standards, and biometric elements

included in the passport, such as the photo, fingerprint, chip programming, digital information security, the validity period of documents, and others have also been established.

- Cooperation with non-member states: Dialogue and cooperation in the field of combating illegal immigration between the European Union and the countries of origin and transit is fundamental. It is related to joint control units, monitoring operations and strengthening the possibilities of intervention. The factors leading to illegal immigration are addressed within the framework of policies to support development. This dialogue included various exclusions, such as the causes of migration and the possibility of getting rid of it, through joint regulation of migratory flows, policy regarding visa, border control, political asylum, the return of illegal immigrants to their homelands, and work to integrate legal migrants into the European Union (Yousaf, 2018, p.26).
- Elimination of clandestine work: to combat illegal immigration, the main motive of which was to work in the European Union, and the member states must issue penalties against employers, and coordinate about them, and illegal employment crimes constitute a violation of the rules of professional activity, in addition to the exposure of employers to punishment.
- Repatriation of illegal immigrants to their homelands: by ensuring the return and reception of migrants, by setting up special funds to help migrants to deport them, including the External Border Fund that was proposed in 2005 by the Commission in the framework of solidarity and regulation of migration flows, and from which the European Council was issued on October 16 2008 European Charter on Migration and Asylum (Wirell, 2018, p.14).

3.19. The Role of The United Nations High Commissioner for Refugees in Libya

It is one of the United Nations organizations established with the aim of protecting and supporting migrants, and contributing to the completion of their return to their homeland, or integration into receiving societies, or resettlement to a third country. The headquarters of the Center is located in Geneva, Switzerland, representative offices in countries of the world. As a result of the unstable conditions, especially for the past three years, when Libya entered into a civil war until this war was stopped in October of the year 2020. As a result, the High Commissioner for Refugees faced a complex and difficult situation inside Libya due to the armed conflict in which some foreign parties intervened. This has caused the displacement of thousands of Libyan families from villages and cities towards safer areas. As UNHCR staffs were unable to reach the areas of need, as well as the difficulty of providing services to those in need.

Despite all these challenges, UNHCR continued to perform its work of providing assistance and services to the displaced, refugees and asylum seekers. After the Libyan political dialogue and the agreement to stop the war on October 23, 2020, the UNHCR devoted all its efforts to providing aid to those who deserve it. As the number of displaced people as a result of the armed conflict decreased from 350 thousand displaced in 2019 to 278,000 displaced in 2020, and this regression was due to the cessation of the war and the return of the displaced to their homes, with the exception of some residents of areas that are still unstable security. One of the most important achievements of the High Commissioner for Refugees in Libya, With the spread of the Corona epidemic, UNHCR provided the necessary needs such as.

- Providing medical equipment/sterilization equipment/virus protection equipment/ambulances/electricity generators.
- Providing financial assistance to six thousand families, or approximately thirty thousand displaced persons and returnees from the areas of clashes.
- Distribution of the necessary supplies such as blankets, water bottles, mattresses, cooking utensils, solar lamps and winter clothes, in addition to the needs of children. For 8000 families displaced from conflict areas.

- In cooperation with the Libyan Red Crescent, the organization distributed 17,000 hygiene kits to migrant detention centers.
- Nearly 500 of the most vulnerable refugees were evacuated from detention centers and their files were processed and resettled.

Several studies have been published by the UN to highlight the different abuses and violations that migrants experience within the DC. Almost every year, UNSMIL describes the ways in which migrants and refugees in Libya are being seriously violated and abused in the DCs. Worse even, in times of war and armed strife, those breaches are increasing, as many reports have shown that migrants are being exploited by armed organizations. Sometimes migrants are forced to load munitions and even to fight for them. They are just abducted and taken prisoner on other occasions. Unfortunately, those that survive have just gone to other centres. Therefore, the issue remains whether GNA is effectively investigating and prosecuting those people who are complicit in these breaches and abuses and ensuring that the human rights of migrants arrested are fully respected as set forth in international law (William, 2020, p.47).

In 2014, numerous developments have happened in terms of increasing/declining DCs nationwide since DCIM was established as a governmental entity supervising DCs. The number of DCs changed throughout several DCIM administrations. The company lacked a broad vision and stuck solely to the fundamental strategy of maintaining DCs always in operation and in accordance with Act 9 of 2010. Most of these institutions however were buildings that were never designed for homes or shelters. At the same time, they became similar to jails for migrants waiting under Libyan law for deportation. Conditions continue to worsen in these DCs, especially when the numbers of imprisoned migrants are on the increase. Despite many retrofit and updated DCs for essential amenities, such as sanitary facilities and washrooms, many DCs continue to be desperately needed for renovation. In many cases, ventilation and latrines are not enough and, in combination with continual containment and very little room, skin infections, severe diarrhea, respiratory tract infections and other conditions proliferate. Briefly, they are not internationally accepted. While the GNA does not form one of its primary goals,

it must enhance the circumstances in these centres. Although the GNA emphasizes Libya's obligation to help house migrants as a transit nation, it is not typically able to provide enough money to ameliorate circumstances in these DCs.

While the GNA continues to urge all INGOs to contribute towards Libya's management of migration, especially in the DCs of residential migrants, they still encounter various restrictions and barriers in accessing and operating these centers at full capacity, together with United Nations agency levels. The challenges include bureaucratic processes, ongoing lack of confidence between the DCIMs and numerous INGOs as well as the DCIM's lack of agreement to offer adequate information for the safety and sovereignty of a country. This will continue to prevent progress in improving the conditions of migrants within these DCs. Likewise, INGOs won't be able to give sufficient help for alleviating their suffering, particularly because many of the migrants imprisoned had suffered terrible mistreatment by smugglers and traffickers throughout their travels to Libya.

In the last two years there has been a considerable growth in the number of INGOs working in migration management and humanitarian aid for Libya. Whilst it is an indication that there is still a lack of a continuous, effective and sufficient triangle of cooperation, collaboration and coordination between more players to meet diverse requirements and difficulties. This triangle will provide effective treatments without overlapping tasks and squandering resources, thereby encouraging an internationally standard complementary environment. To far, numerous agencies have developed a rudimentary communication and co- operation structure through basic reporting methods that require additional improvements. Despite advances in the previous two years, many INGOs are still required to build inclusive and effective structures and procedures.

For migrants who are not known either by the Libyan or by the Italian Coast Guards to reach international seas or rescued by NGOs on SAR operations, they confront a dangerous problem of being rejected by EU countries, especially Italy, Greece, Spain, France and Malta. Such a denial leaves vessels without a location for disembarkation in the sea for days until one such country recognizes its

responsibilities and accommodates these people. Rejection therefore remains an important problem which jeopardizes innocent life (Cañadilla, 2021, p.12).

Lack of resettlement agreement/consensus and quotas split between EU countries: This issue causes migrants to remain in an uncertain state of limbo, particularly if they are rescued by sea. This has also obliged Italy to step up to adopt bilateral measures to decrease its migratory load, particularly since the bulk of rescued migrants land at their ports. Furthermore, migrants requesting international protection under the Dublin Regulation in Italy must have their petitions processed, making the migration management system more complex. In the end, this all leads to more outsourced border and restricted migration.

Despite the ongoing attempts to address it, EU leaders still need to come to a compromise on a thorough revision of migration and refugee policy. I am less happy with migration, because seven measures have been suggested by the Commission. Five of these are close to the agreement but, in the summit's closing news conference on the proposed reform of the common European asylum system, it was not possible to convince colleagues today to adopt those five suggestions, because the two elements are lacking, said EU Commission President Jean-Claude Juncker. The question has not progressed since the asylum seekers have been forced to relocate. The existing structure requires EU countries, particularly Libya, to act on a bilateral basis to pursue migration-building policies, underlining the EU's lack of cooperation in addressing this problem. Failure to do so also undermines the EU's capacity to pursue political reform in Libya.

3.20. European Union Laws Regarding Illegal Immigrants

Given that any instrument against illegal immigration has been debated, there is a possibility that it would be incoherent. A few different instruments, which are briefly clarified, were added to the EU's other purpose: 'in particular to monitor illegal immigration by ensuring the return of illegal immigrants to their countries of origin or a transit country' (European Commission, 2004, p.6). Two main instruments have been introduced in the 1st Annual Report on Immigration and Asylum in 2010 (Van Mol & De Valk, 2016, p.22).

The Return Directive is the primary solution of the paradigm introduced, in which undocumented aliens are eventually and definitely deported. It looks like a "barbaric attack," which must be halted in security's name. With this order, the deportation of illegal immigrants to their homeland, and to where refugees transit before they reach EU territory, is foreseen. The fact that no of the North African and Middle East – the most important transit countries – can guarantee protection of the rights of migrants, particularly the right to asylum and the defense of the trafficked victims, is of little importance in Europe, that guarantees human rights. Thus, "a way of choosing the security solution to the issue appears to be widespread, by presenting the irregular non-EU people as the root of problems in the public order" (Ceccorulli & Labanca, 2014, p.24). It appears that the only problem is the removal from EU territory of illegal immigrants, with no consideration given to their effect. Instead, there are two essential goals of the Employer Penalties Order. The first is to curb illegal immigration by enforcing restrictions on employers involved in illegal immigration, financially, administratively, and, in more extreme situations, criminally. The second is that migrant employees are discouraged from being abused.

At least 26 of the EU's 27 Member States have now enacted adequate restrictions and prevention measures, and 19 have already enacted criminal punishments. The Directive attempts to harmonize current measures in numerous Member States, but its effect on the two goals remains questionable. For this cause, the draft impact estimate by the committee staff, which is based on the proposal directive, illustrates that the number of migrants who find jobs in most European countries is still substantial where these steps already occur. In combination with this query, maybe negative results are likely. The fact that the employers are hiring undocumented employees are well known not only because they are "less risky," but also because they are much more insecure, threatened and much more "manageable." Growing business restrictions by authorities could raise employers' 'invasion' for illegal immigrants who fear being reduced to 'non-persons' by paradoxically increasing the rate of slavery instead of reducing it, rendering the distinctions between smuggling and trafficking transitory.

The refugees are more influenced than the workers by this. Lastly, not only the undocumented refugees, but even legitimate immigrants and European citizens should be the right and proper fight against the Black Market, when their labor rights are regular trampled upon by their own bosses. Perhaps, instead of banning illegal immigrant jobs, a directive would be more effective to enforce restrictions on European black markets. In accordance with the Returns Guideline, this Guideline can theoretically expose the illegally migrant from immediate deportation to black and poorly paying jobs. As well as the two "commitment" instruments that continue to affirm Member States' general trend, there are two other instruments that bring this strategy of restricting and closing into practice: the tightening of external borders, on the one hand and the establishment of the FRONTEX organization, on the other, the global approach towards immigration, also considered as the external policy (Van Der Waal et al., 2013, p.122).

Preparatory work is being conducted for improving the organization FRONTEX with a deeper refinancing extending activities, from mere border protection to the application of the coerced return operations in relation to reinforcing external borders. While it is important to emphasize the need for such restrictions, one of the main implications has been that smuggler and trafficker organizations are professional and internationalized so that officially closed barriers and abuse can be crossed. However, with any unauthorized channel that is blocked, another one can be automatically opened as long as the migration policy prohibition is prevailing. Indeed, today's and much more rigorous surveillance does not threaten criminal groups that invent new routes and diversify routes. These offenders use strange and unusual methods of changing boats, for example: no longer poor rubber dinghies or fishing vessels, but rich sailing boats or stunning boats. Furthermore, it is obvious and predictable that the more difficult it would be to reach the border, the costlier, and riskier, the service rendered by criminal organizations. In other terms, just the terrorist organization.

3.21. Measures Taken to Curb Immigration

The influx of illegal migrants arriving in the EU has stayed strong in 2015 and unparalleled. In 2016, new immigrants from Africa, the Middle East, and Asia

were reported by Member States, many of whom were seeking assistance from criminal networks. Migrant trafficking is a complex global crime. Poverty, social and political insecurity and the limitation of legalized migrant paths make it possible for citizens to access illegal networks to join transit into or remain in the EU illegally. It can be extremely dangerous for migrants to travel to the EU and smugglers often expose migrants to risks and violence which endanger life. The deaths in the Mediterranean Sea indicate the need for a clear and immediate EU response (Scholten et al., 2015, p.122).

The fight against smuggling of migrants has for over a decade been part of EU strategy on illegal migration. In 2002, the European Union adopted a legislative structure on trafficking consisting of a guideline creating facilitation of illegal entry, travel, and residency. The European Agenda on Migration and the European Agenda on Protection defined the battle against immigrant smuggling as a priority, in order to deter the activity of immigrants across criminal networks and to eliminate incentives for illegal migration. The Commission adopted in May 2015 a Migrant Smuggling Action Plan to turn smuggling from "high profit, low risks" to "high risk, low income," while thoroughly upholding and protecting the human rights of migrants.

In some cases, after arriving in the EU, migrants continue to depend on criminals. Criminal networks can facilitate irregular residence by, for example, producing and supplying counterfeit documents and allowing migrants to use genuine documents from another person as impostors. Within the 2002 Directive, this is prohibited in the EU. Migrants are often more vulnerable to jobs and other types of abuse in an irregular situation. Sex trafficking is another but interlinked activity for which the EU has implemented stricter guidelines on action against the perpetrators involved. EU laws also guarantee access to help by victims of trafficking, including the prospect of residency briefly in the EU while collaborating with law enforcement agencies or, for those Member States, who foresee such aid, independent of their cooperation. The EU also monitors the enforcement of the 2009

Employer Sanctions Order, which guarantees the correct sanctioning of workers using illegal migrants (Aleksynska & Algan, 2010, p.18).

Photos of refugees and asylum seekers who have trampled under water in dangerous vessels on European voyages have become the emblem of the sad truth of the pattern of unequal migration. Trafficking by sea of refugees is one of the most severe ways of migrant trafficking and also needs serious humanitarian relief efforts. The EU coastguards and marine agencies, supported by the European Border and Coastguard Agency (FRONTEX), would make substantial attempts to save the lives of those who are in trouble at sea.

Furthermore, most illegal migrants initially entered the EU on short-stay visas, but are now in the EU on financial grounds after their visas have expired. It is important to handle external boundaries effectively and credibly. The EU has thus established an integrated border control policy aimed at preserving high levels of protection by using, for instance, information technologies (such as the Visa Information System) and biometric authentication characteristics (such as fingerprints). The Commission took strong action to prevent irregular migration, to ensure that each EU country effectively controls its own external borders, builds confidence in the efficiency of the EU migration management system, and ensuring the full respect of migrants' fundamental rights. This involves regulatory changes that have already been introduced and are being enforced in certain regions, while the lawmakers (i.e. the Council and the European Parliament) are also considering others.

3.22. Libya's Agreements with Europe to Limit Immigration

This memorandum reaffirms the Friendship, Collaboration and Cooperation Treaty of 2008. A significant portion on Italy's financial assistance for Libya to absorb migration, which contributed, for instance, to Italy funding many immigrant detention facilities in Libya, was included in the Deal, which was suspended in 2011 by the Italian authorities. But bilateral cooperation is going on further, as Italy also promises to raise financial and technical assistance to permit the Libyan Navy and the Coast Guard in Libyan territorial waters to apprehend more migrant boats and

enhance health conditions in Libyan detention centers where migrants are sent after they are intercepted. Although Italy has an annual financial assistance of approximately US\$ 30 million for Libya in 2008, it is now expected to exceed US\$ 240 million (Obućina, 2013, p.34).

The condition of immigrants in Libya is of significant human rights concern and the memorandum makes no reference to the international legal commitments of the government or sets up an impartial oversight process. Libya is not Party to the 1951 Agreement on the refugees and does not have domestic law or asylum hearings. Under former Libyan leader Muammar Gaddafi, rules are called "illegal aliens" who arrive in Libya without proper travel permit and are to be locked up in Libyan detention centers. There is a high degree of corruption among Libyan Coast Guards, which often beats, robs, and rapes migrants before being arrested. When brought into custody, conditions are "inhumane, extreme and [unsanitary], without sufficient access to washrooms, food, or clean drink." Immigrant prisoners are subject to torture, intimidation, physical assault (for example gunshot, blade wounds and other head injuries), sexual violence and labour compelled, no formal identification, no court hearings, no access to counselor any judicial jurisdiction on a daily basis.

The President of the European Council in a press conference following Malta's Declaration argued that the declaration's primary goal is "to reduce the number of illegal migrants and to save lives by sea". But the extent of the maritime misery for migrants transiting Libya. is just part of their perilous experience? The Libyan authorities and other crime gangs frequently perish across the Sahara of those who are not subject to violent arrest and violence. (French only). "Migrant situation in Libya is a human rights issue, as the United Nations High Commissioner for Refugees and the United Nations Assistance Mission in Libya put it. The failure of the justice system has led to impunity, which governs the migration of refugees into the country by militant groups, drug gangs, smugglers and traffickers. The spike in human smuggling and the trade in Libya means "in the wider assets depredation carried out by army groups exercising successful supervision of Libyan territory immigrants and refugees have become just another asset" (Bradford & Jackson, 2018, p.42).

In addition to having major ramifications for refugees, Europe is obviously not meeting its announced goals of minimizing illegal migration, as Libya's big abuses of human rights are one of the most critical 'driving factors' for moving to Europe. This ensures that refugees are forced to cross the Mediterranean Sea as soon as possible through concern for themselves and for themselves. The period of stay of migrants in Libya in recent years before they reach Europe has been dramatically reduced and, in many instances, it is only a matter of weeks, according to the most recent data presented by the International Organization of Migration (IOM). This shows what many studies have repeatedly shown: those tighter border barriers do not deter refugees from making the trip; it just makes their trip riskier. Thus, not surprisingly, after the introduction of the 2016 EU-Turkey agreement, which closed the eastern path of the Mediterranean Sea to Greece, a growing number of migrants used the central Mediterranean path, which became the largest itinerary to Europe in 2016, with more than 180,000 arrivals in Italy (Gentin et al., 2019, p.62).

A "pushbacks" strategy (that is, the interception of migrants in the Mediterranean and return to Libya without first determining their refugee status) was not officially defined by the 2017 Italy-Libya Memorandum of Understanding. In February 2012, Italy was found to be in violation of the ECHR ban on mutual expulsion (Article 4 of Protocol 4) and the refoulement assurances (Article 3) – see ECHR, 2012 under its preceding 2008 bilateral agreement), a procedure which was considered unconstitutional by the European Court of Human Rights. As new arrangements are now being passed to the Libyan authorities, the Italian authorities are not taking on full responsibility for the vast indications that migrant in Libya are being brutalized. The agreement is cleverer. The new agreement, it remains to be seen, however, why Italy can avoid its indirect obligation to outsource its migration obligation to Libya under the European Convention on Human Rights. The new EU's willingness, under the European court system, to bypass the international and regional law, reveals how weak political discourse, though obviously betraying the principles on which the EU was formed, indicates only time why it bears the legal responsibility for placing migrants' lives, rights and dignity under pressure under the European Court system. This deal will "support keeping the issue out of mind and

out of mind but not to drive it out of life" as proof of an apparent lack of diplomatic policy and opportunity in relation to refugee security.

3.23. Agreements and Laws for Returning Migrants to Their Countries

About 400 thousand and five hundred thousand foreign nationals are ordered to leave the EU each year as they are or remain irregularly. However, only 40% of them are returning to their country of residence or their country of birth. Efficient and equitable returns are an integral part of an overall strategy on migration and do not undermine a more transparent policy on migration. In fact, it is completely necessary to guarantee the return of illegal migrants in order to improve the legitimacy of foreign security and legal migration policies.

The common return laws, as implemented by EU countries in 2008, were in effect at the end of 2010. The so-called "return directive." They provide for simple, transparent and equitable general rules for return and expulsion, use of punitive action, arrest and re-entry of an irregularly living migrant while upholding thoroughly the human rights and fundamental freedoms of those involved. All EU States except UK and Ireland (including the four Schengen Related Countries, Switzerland, Norway, Island and Liechtenstein) have transposed the Directive into national legislation. The Return Directive gives migrants rights which can be relied upon in national courts proceedings. The major aspects of the Directive are (Basilien-Gainche, 2015, p.37):

- The need for fair and open decision-making processes for illegal migrants.
- EU states' duties either to give up or give legal protection to illegal migrants in order to escape "legal limbo" conditions.
- Promoting the idea of voluntary departure by creating a general law which would usually give a "voluntary departure time."
- Provision of minimum protections, including access to basic services and schooling for children, for people living irregularly in order to eliminate them.

- The limitations on the use and unnecessary or disproportionate use of punitive methods with respect to the expulsion of citizens.
- Provide a valid EU-wide entry ban for returning migrants by an EU state.
- Limiting the application of incarceration, committing it to the proportionality principle and setting down minimal protections for inmates.

The Commission announced in its first assessment of the implementation of the Returns Directive in March 2014 that this law allowed specified steps to repatriate irregularly stay migrants and to improve the safety of them. The condition of voluntary leave and compulsory return surveillance was favorably affected. It has helped to bring about a greater integration — total reduction — for illegal migrant detention, and broader use of EU-wide detention alternatives. It also constrained the right of Member States to criminalize simple illegal residency and enhanced legal clarity for returning individuals. The key reasons that so many migrants not resident routinely are not returning are difficulties in terms of realistic identity and documents received by non-EU authorities.

3.24. Difference in Some European Countries in Laws

More refugees were not welcomed by a majority of all seven countries: Germany (72%), Denmark (65%), Finland (64%), Sweden (6%), the UK (58%), France (58%), and Norway (52%). The average majority in Chatham House, in February 2017, 10 000 people from ten European countries (55%) were against more Muslim immigration with a significant number of opposition parties in particular: Austria (65%), Poland (70%), Hungary (65%), France (61%) and Belgium (64%). The rest of the Chatham House polls were against more Muslim immigration. Everything, save Poland, have recently been exposed or at the heart of a refugee crisis to jihadist terrorist attacks. 3/4 was listed as right of the political continuum of those who reject more Muslim migration. For those that identify themselves, 1/3 favored a pause at the left side of the political spectrum (YouGov & Eurotrack, 2018, p.44).

Denmark; In Denmark, the Danish People's Party is the political party most closely related to immigration policies. Two out of three (64 %) decided to ban Muslim immigration in a 2017 survey, which was up from 2015 (54 %), according to a Gallup survey. 65% of Danes opposed further refugees to the world in a 2018 survey in Yugoslavia. On 14 August 2020, Denmark's Ministry of Immigration and Integration announced that in the past two years 83 individuals have been granted Danish citizenship because of their grave offences.

Finland; According to a survey in Yugoslavia in 2018, 64% of Finns have been against welcoming more refugees.

France; France tries to curb immigrants. In France, the National Front. Major newspapers, political parties and a substantial part of the population think that there has been a growing anti-immigration feeling following the 2005 disturbances. 58% of French citizens opposed allowing further refugees into Yugoslavia, according to a study in 2018.

Germany; In Germany, immigration is criticized by the National Democratic Party and the Option for Germany. A survey carried out by Pew Research revealed that the majority (58%) wanted fewer immigrants allowed within the country, 30% wanted the current amount to be retained, and 10% wanted to increase immigration. 72 percent of Germans opposed further migration into the country.

Hungary; More than 10 000 people tried to cross the borders between Greece and Turkey in February 2020 after the opening of their borders with Europe by Turkish President Erdoğan, despite being stopped by the Greek army and police forces. The iniquitators were fought and gunned down by hundreds of Greek troops and mounted officers. People from Africa, Iran and Afghanistan were among those who wanted to cross. By refusing to consider asylum claims for one month, Greece responded. Migrants set fires in March 2020, threw cocktail bombs from Molotov to the Greek side to blow up the border fence. By attempting to hold the fence intact, Greek and European forces replied by tear gas. By 11 March, 348 persons were arrested and 44,353 illegal entry incidents stopped.

Italy; The Italian Government Bettino Craxi began national anti-immigrant dialogue, and in a public discourse the large number of illegal immigrants and certain terrorism attacks were closely connected to this discussion. Popular media dialogue suggests that the refugee problem is uncontrollable and has unknown meaning. One of two interviewees (51 %) voted to close Italy's port to additional Mediterranean boat migrants, with a further 19 percent accepting additional boat migrants, according to a poll released by Corriere della Sera. In 2018, a Pew Research survey showed that the majority (71%) wanted fewer immigrants to enter the country, 18% wanted to retain the current rate and 5% wanted to increase immigration.

Norway; In Norway, the Progress Party is the sole parliamentary party aiming to curb immigration. The Democracy Party in Norway, the Christian Union Party, the Pensioners' Party and the Coastal Party are small Norwegian parties that tend to curb immigration. 52% of Norwegians opposed the arrival of further migrants in the region, according to a survey in Yugoslavia in 2018.

Poland; In the opinion poll held in 2015 by the Public Opinion Center (CBOS), 14 percent thought Poland should have permitted asylum seekers to travel into and live in Poland, 58 percent said that Poland should have allowed asylum seekers to remain in Poland before they return to home. 53% also thought Poland should not welcome Middle East and North Africa asylum seekers, and only 33% thought Poland should welcome them. Another opinion poll of 86 percent of Poles concluded that Poland did not need more immigrants, and that Poland needed more immigrants just 7 percent. Despite this, 683,000 non-EU immigrants arrived in Poland in 2017. 87.4% moved to work out of them. The largest number (683,000,000) of first permits for residency in 2017 is given to Poland among European Union Member States, followed by Germany (535,000), followed by the UK (517,000) (Connor & Phillip, 2019, p.43).

Sweden; The anti-immigrant group Sweden Democrats rose to 19.9% in the Numbers Sweden poll in reaction to the strong immigrant in 2015. Sweden has initiated the temporary Øresund Bridge checks between Denmark and Sweden at the end of 2015 and it was ordered that public transit operators could only make trains or buses resident in Sweden. The steps have taken down to 29 000 in 2016 from 163

000 applicants in 2015. In 2018, a survey by Pew Research revealed that a slim majority (52%) wanted fewer immigrants into the country, 33% wanted to retain the current level and 14% wanted to increase immigration. 60% of Swedes have been opposed to allowing further migrants into the country, according to a poll in 2018 in Yougov. Finance Minister Magdalena Andersson urged refugees to head to countries other than Sweden in February 2020. In an interview, Mr. Andersson said the integration of Swedish immigrants did not succeed because either before or after 2015 and that Sweden cannot allow further immigration than it can integrate (Eurotrack, 2019, p.12).

Switzerland; Switzerland has an anti-immigration history dating back to the early 1970s and the James Schwarzenbach movement. The conservative-liberal Swiss People's Party, headed by Christoph Blocher, has dominated the issue since the 1990s.

United Kingdom; The sentiment of anti-immigration in the United Kingdom has traditionally been concentrated in a number of African, Afro-Caribbean and particularly South Asians refugees, many of whom came from the Commonwealth of the Nations in more various numbers after the Second World War. Although the attention of anti-immigrant migrants is always on the middle class, there is also certain resentment about multimillionaires in Russia, China, Singapore and the Gulf of Arab countries living in the UK, particularly in London and Southeast England. These residents also invested in land and enterprises, while often profiting from tax cuts linked to non-domestic status, are viewed as leading lavish, "jet-set" lives characterized by visual consumption. The manifestos of parties such as the UK Independence Party are central to policies of reduced immigration, particularly from the European Union. Any members of the largest political parties, most prominently the Libertarians, have also questioned such policies.

3.25. Libya's Laws Regarding Migrants

In Libya, a legal system and official rhetoric that do not understand the lives of refugees in Libya is complicating the condition of refugees and asylum seekers. In fact, refugees and asylum seekers are not separated from other immigrants who are all in the general 'economic migrants' group in the world. Therefore, no special care

is provided to refugees in Libya. As a result, Libya does not establish national asylum legislation or have administrative mechanisms in place to deal with refugees and asylum seekers, because of the failure to accept the refugees as a distinct agency which benefits of particular legal status (Tsourapas, 2017, p.61).

Despite this, brief references are made to refugee protection within existing Libyan legislation. Article 11 of the Libyan Constitution Proclamation, which entered into force in 1969 shortly after Colonel al-Qaddafi came to power, prohibits “The extradition of political refugees”. Article 21 of Law 20 of 1991 on the Consolidation of Freedom states that, “[t]he Great Jamahiriayah is a refuge for the oppressed and strugglers for freedom. It is impermissible to hand over refugees under its protection to any party”. As pointed out, Libya also signed the OAU Convention on the Basic Aspects of Refugee Issues in Africa, a general concept of refugees, requiring States parties to uphold refugee rights, in particular the principle of non-refoulement (NR). The Convention refers in its implementation to the OAU. Libya has not ratified the UN Convention on Refugees nor its Protocol of 1967, but it is worth noting that the terms of the Convention of the United Nations on Refugees are subsumed into the OAU Convention on Refugees. In addition, the OAU Convention on Refugees calls for its signatories to accede to the UN Convention on Refugees and its Protocol of 1967.

The Libyan official's comments reflect that refugees and migrants are not differentiated. Their Libyan counterparts stated in meetings with European officials that they do not accept refugees or asylum seekers, but that all those in Libya are economic migrants. They voiced more concern about the concerns resulting from such a legal differentiation, which could lead to an "unmanageable scenario" where many economic migrants file baseless asylum applications. Although no national statute is applicable directly to immigrants, a number of laws pertaining to aliens in the country govern the condition of refugees, asylum seekers and migrants. As mentioned, the free travel of individuals between Member States should be technically allowed by Libya's CENSAD membership, but the way it works and if it really does not. The Law 6 of 1987 on the organization of entry, residency and leaving of foreigners in Libya and the recent updates to this law as laid down in Law

2 of 1372 (2004) are particularly relevant for the flow of those people using Libya as a destination and transit area. The law allows for the validation of a visa for foreigners to enter, remain in and leave Libya. Many breaching the law (Article 19 after 2004 reform, for example), who are responsible for a jail term without defined length and for a minimum fine of 1,000 dinars (approximately \$800), by not receiving the proper visa for example, breaching the visa requirements and by overdue the visa period. It was stated in August 2005 that additional entry requirements for 500 dinars were required (about \$400) during their stay in Libya (Hamood, 2008, p.11).

3.26. Libya's Efforts to Curb Migration

The Rome Statute of the ICC is not ratified by Libya and is not a Party to the Convention. In addition, Libya has not approved the UNHCR to be on its soil since 2010. While part of the OAU Convention, Libya still has no national framework for the identification and identification of asylum seekers and a process for the surveillance and safeguarding of individuals at risk of forcible return to their country, European Parliament 2011. Consequently, it was the UNHCR which was able to register 3,000 asylum seekers and 8,000 refugees in Libya prior to the war. However, several others have not obtained government acknowledgment of their claim to foreign immunity. In addition to rejecting the refugee status to thousands of people leaving the country of origin, Libya has categorized as voluntary migrants in its territories for job or educational purposes, many of the internationally recognized refugees, including Saharawi and Palestinians. There is therefore a high chance that many Libyan refugees have been wrongly branded as economic migrants before being displaced once again by the war (Paoletti, 2011, p.32).

The Libyan crisis has mixed numerous displacement types and highlighted the ambiguous existence of diverse groups of refugees escaping from the war. In addition to accepted refugees, the wider sense of Libya displacement involves expelled or unaccredited refugees and de-classified migrants who have been listed as either voluntary or commercial migrants. Migrants from all over Southeast Asia, East and Central Asia, North as well as Sub-Saharan Africa and the Near Eastern countries are now displaced from Libya.

In view of the de facto deficiencies in the international statutory system for their security, the legal status of displaced economic migrants from outside Libya, including denied, unregistered or de-classified refugees, is unclear. Third-country citizens fleeing Libya's war do not come under the Convention's procedure definition despite their clear security and humanitarian needs. Article 1A of the Treaty articulates that protection for refugees shall be bestowed upon persons who are outside their country and who are unable, or unable, due to such insecurity to use protection, the country of their nationality due to their well-founded fear of being persecuted on the basis of race, faith, nationality, membership of a certain social community, or political opinion. Therefore, commercial migrants crossing Libya are not legally entitled to immunity for refugees depending on their country-of-origin circumstances.

In addition, if they are unable to show the link between the danger to damage resulting from the war and one of the above listed grounds of persecution, displaced economic migrants fleeing the Libyan war cannot come under the narrow concept of a refugee set out in the Convention (Abushahma et al., 2019). Article 1(2) of the OAU Agreement provides immunity to 'anyone whose place of habitual residence is to be left to seek refuge in another place outside the country of origin or nationality as a result of external invasion, occupation, international control or incidents which have a significant disturbance of public order either in part or in the country of origin or nationality' However, only African States (Tunisia and Egypt are a party state to this Convention) are entitled to security duties under the Convention and, accordingly, the asylum seekers who have fled to Europe are not covered. Moreover, the OAU Agreement does not allow for permanent remedies for refugees protected by the Agreement, such as relocation.

The above differences indicate that existing international refugee law can not provide complete protection to cross-referential groups of migrants and refugees in situations of conflict. This indicates that the migrant workers as well as the withdrawn, unregistered and disclosed refugees are lacking a strong institutional obligation to safeguard them outside Libya. To assess and resolve the humanitarian

needs of the migrants displaced by the Libyan war, it is important to consider these security lacunae and the presence of overlap groups.

3.27. Voluntary Return Program for Immigrants

Since the various member states of the EU have always had competing priorities and interests in Libya, the EU's policy toward Libya has never been consistent or cohesive. This is because of the competing interests and objectives of the EU's member states. Despite this, the European Union (EU) as a unified entity continues to pursue a particular strategy in Libya that is in conformity with the United Nations Support Mission in Libya (UNSMIL). As part of this strategy, we will work toward resolving the present political impasse, achieving global agreement on how to carry out elections, and supporting political transitions that lead to stability and democratic governance. However, in terms of its migration policy, the EU continues to externalize and outsource border management, political deal-making, and humanitarian assistance for displaced populations to Libya, with little to no advocacy for the human rights situation of said displaced migrants remaining on the soil of Libya. This is despite the fact that Libya is home to a large number of migrants who have been displaced from their homes in other countries (Giuffré, 2017, p.52).

The externalization strategy of the European Union (EU) in Libya, including its official mission and the EU Border Assistance Mission (EUBAM), has never been particularly robust. As a consequence of this, Libya's policy on migration is continuously influenced by the unilateral activities of European governments, namely Italy and France, who are the primary competitors in terms of meddling with one another's affairs. As the European state closest to Libya that still accepts migrants crossing the sea, Italy has fully adopted this externalization policy. It is constantly advocating for more EU support for ironclad borders, while also striking give-and-take political deals with whichever party controls the northwestern shores of Libya to ensure fewer migrants reach its shores. This could be a party composed of fragmented armed groups or the weak internationally-recognized government. In the end, the remaining members of the EU believe that this is a scenario in which everyone benefits (Andrijasevic, 2010, p.5).

The French government, on the other hand, remains committed to a strategy that prioritizes the provision of foreign military help in the fight against terrorism above the suppression of migrant flows. France has, up until this point, provided assistance to the Libyan National Army (LNA) in its efforts to combat terrorist organizations in the east, as well as, up until very recently, the LNA's efforts to gain control of bigger portions of Southern Libya. In this view, France's backing for the LNA was an act of political gain wholly unconnected to the goal of reducing the flow of migrants into Europe (Park, 2015, p.54).

The Ministry of Interior formed organization in 2014 with the purpose of managing migration and enforcing Law No. 19 of 2010, which was passed to prevent illegal migration in Libya. The legislation details the steps that must be taken to deport illegal migrants, establishes the penalties for smuggling and sheltering illegal migrants, and provides a definition of the words "illegal migration" and "illegal migrants." Additionally, the DCIM is accountable for the management of detention facilities, the supervision of migrant repatriation and expulsion, as well as the manning of checkpoints and patrols in metropolitan areas in order to apprehend and imprison illegal migrants (Lehner, 2019,p.4).

As a result of ongoing political instability, conflict, and insecurity, as well as the breakdown of the rule of law, a deteriorating public sector, and a dysfunctional economy, the Libya office of OCHA estimates that there are approximately 823,000 people in need of humanitarian assistance in the country of Libya. This number includes approximately 248,000 children. Other contributing factors include a dysfunctional economy. The European Union (EU) is actively pursuing a strategy of externalization that extends far beyond the nations of North Africa. Specifically, the EU is working to expand its border control beyond the southern beaches of Europe and is pushing for interventions in the countries of the Sahel region. The fact that the EU Trust Fund for Africa has a value of €3.9 billion should serve as sufficient evidence that the EU intends to throw money at the issue in the hopes that it would go away. The Horn of Africa received €1,286.6 million, North Africa received €582.2 million, and the Sahel and Lake Chad received €1721.1 million as of the end of December 2018. There have been a total of 187 initiatives authorized throughout

all three areas, with a total budget of €3.59 billion. In addition to that, this budget allots 167.1 million Euros for five cross-window activities (Albahari, 2018, p.15).

The whole of this funding may be viewed as Europe's unambiguous commitment to working with African governments to address the myriad of underlying factors that contribute to war, poverty, and displacement. Nevertheless, these displays of generosity have more to do with its migrant externalization strategy than what is immediately obvious. Because of the continued instability and violence in Libya, the European Union has adjusted its viewpoint to be more in line with the shifts that have occurred in Arab nations as a result of the so-called Arab Spring. This was done with concern for the situation in Libya. As a consequence of this change, the European Union is moving away from its previous policies, which sought to negotiate political agreements with the region's authoritarian regimes (Park, 2015, p.16).

In spite of this, the EU's primary objective has always been to curb and standardize the flow of migrants coming from Africa, with the ultimate goal of luring the required skilled and low-cost labor and satisfying the demands of the markets in various EU nations. Before the sudden and widespread presence of terrorist organizations across the area, completing this work was a lot less difficult than it is now. As a direct consequence of this, the EU has implemented many layers of additional security restrictions in order to both prevent terrorist organizations from reaching its ports and establish Europe's sovereignty over the flow of migrants. If we take a deeper look at Libya since 2014, we can see that the EU has raised a total of 286 million euros for initiatives that are connected to migration. This includes 266 million euros from the EU Emergency Trust Fund for Africa and 20 million euros from bilateral aid. However, since 2017, there have been seven large initiatives with a combined budget of 285.3 million euros to support, protect, and aid individuals who are in need, stabilize Libyan localities, and execute integrated border management (Albahari, 2018, p.122).

All of this may be seen as an investment on the part of Europe in order to preserve peace in Libya and stop the flow of people trying to sneak into Europe illegally that was sparked by the crisis in 2014. As was stated earlier, it is evident

that Europe has adopted a constructive and comprehensive strategy to address the problem of migration. This is especially evident in the manner in which it has supported municipalities that serve the local public regardless of the political allegiances of their municipal officials. However, the largest projects and investments in Libya may still be broken down into the following three categories:

- The return of migrants who are now trapped in Europe to their countries of origin and away from Europe (the European Commission has also increased its support of Voluntary Humanitarian Return and Reintegration activities in Libya by €7 million).
- 2. Increasing funding for the Libyan Governmental Coalition (LGC) in order to combat illegal migration and to intercept and rescue migrants at sea, in effect building walls across the sea in the name of "integrated border management" (€46.3 million for integrated border and migration management adopted in July 2017, and €45 million for integrated border and migration management adopted in December 2018). In addition to this, the European Union Emergency Trust for Africa has pledged an additional €45 million for the management of borders and migration (Park, 2015, p.29).

Provision of protection services and humanitarian assistance to migrants already within the borders of Libya (€48 million for mixed migration management approved in April 2017, also known as the "protection pillar;" €25 million for protective and sustainable solutions for migrants and refugees along the central Mediterranean route; and €29 million for an integrated approach to protection and emergency assistance for vulnerable and stranded migrants in Libya approved in July 2018). The Trust Fund has offered significant assistance to those who are most in need, working in conjunction with other UN organizations. Since 2017, 89,700 people in Libya have gotten medical help, 61,300 refugees and vulnerable migrants in Libya have received direct support (non-food items and hygiene kits), and 14,600 children have received school materials. Communities in Libya have also received considerable assistance, including the provision of equipment that enables them to

continue providing basic services to more than 1.2 million people (Seeberg, 2013, p.36).

The proposals that the Commission has made for the next Multiannual Financial Framework are a response to the experience that has been gained over the past few years, and they have proposed a significant increase in support for asylum and migration policy of two and a half times (totaling €10.4 billion over the period of 2021-2027). The decision-makers in the EU have made it very apparent that they want to continue along the road of strengthening borders, externalizing border control, and regulating migratory flows, and this plan underscores that aim. The nature of the vast bulk of these operations seems to lean more toward being reactive than proactive. They avoid addressing the fundamental issues that give rise to migration in a way that is sustainable. Instead, they are concentrating on stopping the flow of people who have been displaced, intercepting them as they go, and taking them back to the location from which they came, all while seeking to alter the migrants' mentality towards returning to Europe (Albahari, 2018, p.12).

In addition, the EU makes very little efforts to combat corruption in African countries. Instead, in order to secure more votes for themselves in upcoming elections, the vast majority of politicians in Europe emphasize the purported advantages of their migration policy. They boast about lowering the number of people reaching Europe and depict it as a success story, which does nothing more than further desensitize the general public to the misery of many refugees. Even if movement within Africa is more common than migration to Europe, individuals will nonetheless continue to move out from African nations and into Europe. This is true despite the fact that migration within Africa is more common than migration to Europe. As long as there are no actual policies in place, conflicts will not be addressed, corruption will continue, regimes will continue to abuse their people and violate human rights, security will continue to worsen, and economic woes will only improve very slowly. As a result of this, many African authorities would rather see their people leave the country, find employment outside of it, and then send money back to their families (Albahari, 2018, p.6).

As a result of the so-called Arab Spring, the European Union (EU) has encountered some challenges that are completely understandable in their attempt to make any kind of political change in Africa. These challenges have justified the EU's increased investment in developing and improving the human rights conditions of displaced populations along migration routes. Nevertheless, the movement of displaced people and migrants across the Mediterranean cannot be stopped by military, externalization of border control, or greater investment in Africa if there is not a sufficient political resolve to do so. Migrants won't stop coming to Europe as long as they continue to have hope that they may find a stable job here and send money back to their relatives in their home countries. As a result, the political, economic, and security stability of Libya is of the utmost importance to the problem of migration. In this context, investments are very important since they will result in long-term solutions. The same is true for the nations located in the Sahel. In spite of the fact that the problem could seem insurmountable, all that is required to resolve the issue entirely as opposed to just managing it is a strong political will (Albahari, 2018, p.11).

The European Union (EU) has always been under pressure to both house asylum seekers who are in need of international protection and to offer a lawful and secure avenue for skilled migrants to arrive in Europe. Dozens of nongovernmental organizations have advocated for the creation of a permit that would allow anyone whose life is in serious danger to come to Europe safely and then present their case for consideration to a competent authority. This would significantly cut down on the number of boats that travel from Libya to Europe via the Mediterranean Sea. As a consequence of these conversations, the idea of a "humanitarian visa" was conceived. This visa would be of assistance to vulnerable displaced individuals coming from any area that is plagued by instability and violence. The European Union Parliament demanded in December 2018 that the European Union Commission hold a vote on a legislative proposal to create a European Humanitarian Visa (5) by the end of March 2019, and that request was granted. Migrants would be granted unrestricted entry to the territory of the member state that was responsible for granting the visa for the express purpose of submitting an asylum application. This suggestion was presented as a viable approach to overcome the challenges faced by the Dublin Regulations, as

well as to alleviate some of the load that is placed on the governments that routinely receive an excessive number of migrants (specifically Greece, Spain, and Italy). Needless to add, this would also enable legal and secure paths for migrants to seek asylum and international protection, which the EU members could genuinely give according to their duties (Albahari, 2018, p.12).

After deadly airstrikes and attacks on migrant detention centers in Tripoli, the capital of Libya, the European Union has come up with a new plan to evacuate vulnerable migrants and refugees stranded in the volatile North African nation: send them to Rwanda. This plan was conceived after the events that took place in Libya's capital, Tripoli. It is anticipated that the proposal will alleviate some of the most immediate humanitarian needs faced by migrants and refugees, many of whom have been caught in the crosshairs of Libya's renewed civil war. The proposal is reported to involve approximately 500 detainees, but there is not yet a timeline for its implementation. However, this is just a temporary solution that does nothing to meet the need of the thousands of additional migrants and refugees who are still held in detention centers and require direct evacuation from Libya to Europe or other long-term alternatives (Lehner, 2019, p.3).

Additionally, it is necessary for the EU to accept that the new strategy would incur a significant political cost. Paul Kagame, the President of Rwanda, is not simply being kind to strangers by opening his country's doors to them out of the goodness of his heart. Instead, he intends to ask Europe for a diplomatic reward, one that will boost Rwanda's international leadership on migration and refugee affairs in exchange for Europe's silence regarding recent violations of human rights. It is possible that it may come with a cost for the migrants and refugees as well. The relatively tiny East African nation now provides shelter to more than 148 thousand refugees, and it has formally recognized their entitlement to a variety of social and economic rights, including the freedom to seek employment. However, rights on paper do not necessarily equal to rights in reality; as a result, it may be difficult for refugees in Rwanda to get access to public services and job prospects. In addition, the government has used violence to suppress refugee demonstrations in which they protested discrimination and a lack of food in camps (Lehner, 2019, p.5).

The new strategy for the move did not materialize out of thin air. In 2017, after the publication of a video by CNN showing migrants being suffering, Rwanda made an offer to take in some of those who had been rescued from Libya. However, at the time it was decided that it would be simpler to move them to Niger, which is located to Libya's south. Since an agreement was negotiated between the African Union and the EU during a summit meeting in November 2017, Niger has taken in more than 2,900 migrants who were previously in Libya. On the other hand, it seems that Niger's desire to collaborate with Libya and the EU has hit its ceiling. Those who were evacuated to Niger were intended to be making a brief halt before either returning home with the support of the United Nations' agency for migration, or being relocated in Europe. However, the effort encountered recurrent challenges, most of which were attributable to the fact that member states of the EU moved too slowly in actually relocating the evacuees (Lehner, 2019, p.10).

3.28. Department of Combating Illegal Immigration

This office monitors the Libyan borders with surrounding countries and especially from the southern borders particularly from Egypt, Chad and Niger. It tries to secure the borders and arrest the illegal immigrants who try to enter the Libyan lands illegally. These immigrants may try to stable inside Libya or continue their way towards Europe. Therefore, this issue has generated big problems between Libya and the European countries during the last years where the European countries accused Libya that it is not interested to secure its borders and not prevent these illegal immigrants to enter the Libyan lands. The main mission of this department is controlling the borders and arrest on every person enter or try to enter its lands illegally. This department has many branches in many Libyan cities such as Misurata, Tripoli and Zuwara. However, this department compliance by the lack of coordination with other security forces in Libya and from the lack of support and developed equipment which make works effectively and correctly comparing with other immigration offices in other countries.

Figure 3.1. Department of Combating Illegal Immigration Rescues Migrants



Source: The Libyan Observer, 2021.

3.29. The Recommendations to Combating the Illegal Immigration Problem

The proposals below show the key measures needed, the complexity of the migration issue and its link with Libyan security, economy and demographics when looking at the present difficulties and policies. It is not possible to have a single-size fit-all solution. Rather, it is important to analyze a kaleidoscope of concurrent measures which all seek to preserve human dignity without endangering security, counteracting terrorist activities and supporting future generations' economic success. The following suggestions are based on the many parties engaged in developing existing policy.

3.29.1. The European Union

Refrain from continuing to exercise/outsource border control methods based on harsh policies which put migrants' lives in greater risk. The EU must therefore

cease negotiating new agreements with third-party nations whose authoritarian regimes pledge to prevent migration and at the same time do very little to guarantee that their residents and migrants stuck within their country comply with human-rights norms.

Instead of investing in greater security measures and extending Fortress Europe's attitude, seek direct sponsorship of initiatives that encourage better integration and address the underlying and socioeconomic reasons of migration. We recognize that the EU's external borders are of priority in the fight against illegal smuggling, but the answer is neither an increase in blockade, nor a construction of larger wall areas in relation to management of migration. The alternative must be intensified efforts to combat cross-border crime, trafficking in human beings and hazardous trafficking by intensifying cooperation with non- governmental countries. Those nations might deconstruct and punish criminal groups better, with the help of the EU. In the end, it is just as vital to eliminate hazardous and irregular migration routes as to provide for secure and legal migration (Beşer & Elfeitori, 2018, p.18).

Increase efforts to share responsibilities domestically in the EU, because it is not fair to ask a nation to continue to accommodate these people. It should also address the requirements of asylum seekers and refugees reaching the EU, particularly as regards reunion in the family. The EU should also agree on a policy/strategy for responding and rescuing migrants from Mediterranean global waterways. In many situations migrants are trapped for days at sea aboard INGO boats in limbo, because EU nations do not want to accept them. This must be stopped. Achieving efforts that will allow migrants to enter the EU, including humanitarian visas, to safe and legal methods swiftly and effectively. This would establish a compassionate alternative and would put refugees escaping an oppressive and destructive situation at considerably less risk.

The EU must uphold and further enforce conformity with its legislation, notably with the definition of safe third-party nations, as well as international law. All Member States must uphold the non-refoulement principle so that neither refugees may return to Libya where they are deported to their country of origin (El Zaidy, 2019, p.27).

Collect more support for political initiatives to guarantee a smooth transition between political leadership and a newly elected Government, which ideally has a better chance of implementing the political changes necessary and of maintaining more authority over different areas in Libya.

3.29.2. Italy

Do not drive migrants to Libya from international seas. The action is not only in breach of the principle of non-refoulement, but also jeopardizes the lives of migrants, particularly because many LCG lack the ability to conduct safe rescue activities. Do not continue to conduct operations in DCs that are either sustainable or do not resolve real problems, particularly in cases when Italian INGOs do so without adequate cooperation with other actors that already provide similar services. This not only contradicts the complementarity principle, but also endanger the life of migrants, particularly when the provision of healthcare is included (Molnár, 2019, p.30). In towns most affected by migration on Libyan migrant routes, Italy should continue offering services. But the usage of both the services and the resources given must be done in a sustainable way.

The GNA can and must help the international community in this respect. The GNA may also show its own sovereignty better by announcing its success on combating smuggling / trafficking, as both businesses fall prey to migrants and spend their money on illegal activities to jeopardize Libya's stability and possibly destabilize the government. The GNA should provide greater assistance for ambassadors/diplomatic missions from the countries of origin of migrants, particularly the nations of sub-Saharan, because the bulk of migrants are in Libya. These missions and embassies may aid their residents considerably, from the provision and renewal of materials to the promotion of family reunion and voluntary support.

3.29.3. Libya

If GNA cannot replace the existing system of detention that hold migrants indefinitely until the decision has been reached to return them back by means of the IOM or until they have been resettled with the help of UNHCR in Niger and third

countries, it must follow the present circumstances in those centers to the very least and ensure that the conditions in those centers are safe, humane and satisfactory. In order to deal with misuse and infringements seriously, the GNA must take genuine actions. They also need to initiate investigations, ensure serious monitoring, enable access, reduction of dangers to the lives of migrants and comply with international human rights legislation and regulations to fulfill their duties as a carrier (Zerboni, 2020, p.45). The GNA must take the actions taken earlier in the fight against trafficking and smuggling. The fact that the Attorney General issued arrest warrants against numerous smugglers indicates that the GNA can identify offenders and that real arrests and trial for smugglers / return should be followed if migrants want to do so.

3.29.4. Embassies of Countries of Origin

Increasing assistance for their consulates, embassies and diplomatic mission in Libya is crucial for migrants' countries of origin. For the nations with their offices closed, activities should be resumed as quickly as possible to meet the requirements of its inhabitants, particularly since they are subject to severe dangers and abuse. Above all, they must also collaborate and contribute to dismantling regional and international trafficking. We propose not only that these missions and agencies should be able to meet the requirements of their residents, but also that they should be proactively involved in seeking solutions to the fundamental causes of migration and provide legal and security travel between Libya and the Sub-Saharan States. The Libyan demand for employment should also be studied to guarantee stronger frameworks and arrangements for migrants in Libya to safeguard jobs in Libya without fear of discrimination or lengthy incarceration.

3.29.5. INGOs

Better collaboration, co-ordinations and communication play an important role in delivering a prompt, appropriate and effective response to the requirements of migrants within Libya for all INGOs participating in migration management and humanitarian relief/relief. Although increasing investment in migrant support is vital, support for the GNA and the state/institutions in Libya is also critical to enable them fulfill their obligations as duty bearers in line with international and humanitarian

norms. They should also continue to pursue objective advocacy to reduce abuses of human rights and improve migrants' circumstances within and outside custody (Giuffré, 2017, p.12).

Deny political money and money to execute border control, cruel and humiliating detention and forced repatriation methods, agendas and policies that encourage externalization/outsourcing. This all leads to a much more complex scenario. While these fast victories might give short-term answers, they generally lead to contra productive results that generate even more issues and problems which run opposed to international norms and values.

3.29.6. Local Libyan NGOs

Reject the financing options for continued operations alone. Many local NGOs are carrying out initiatives which are not part of their strategic goal but which are aimed at maintaining their operations. This is not helpful to the issues of today. Instead, it is vital for local NGOs to provide lasting solutions and methods to assist management of migration in Libya through conversation, lobbying, or voluntary programs that enable Libyans to help migrants. Such activities might help build empathy among all people living in Libya and decrease tension, prejudice or extremism. Local NGOs should likewise deny political money that serves policy objectives and programs that cannot effectively address the issues of today. Only in the situation that the independence and neutrality principles are recognized and respected could this be permitted.

Try to improve cooperation, cooperation and communication. Several years ago, a coalition of local NGOs worked together in a number of migration management and humanitarian aid programs. It goes without saying in this situation how greater networking and persistent collaborative lobbying may give successful answers, not just to the implementation of projects but to reforms and policy changes (Victor, 2020, p.36).

In order for Local NGOs to make informed judgments on policy changes, they need constantly enhance the public's knowledge of all problems relating to migration and migration management in Libya. Greater public knowledge of

contemporary issues could assist to address some of civil society's major dangers, including abuse, racism and prejudice. In addition, the public is able to initiate and engage in projects to promote and respond to migrant issues as well as to address the requirements of migrants and the State if they are aware of this situation.

The European Union and numerous European countries, in particular Italy, have worked hard to adopt laws that ensure fewer migrants get to Europe. These strategies include outsourcing border monitoring and assisting dictatorial governments which prevent individuals from leaving their countries, irrespective of their deteriorating human rights circumstances. They also foster increased awareness of the risks of leaving North Africa and crossing the Mediterranean Sea into Europe by warning migrants. The current policy in Libya is to intercept/rescue Mediterranean migrants and bring them back to Libya in deteriorated DCs. These DCs require renovation desperately and are now unable to host significant numbers of refugees in their homes. Libya then invests money to repatriate these people back home. Libya cannot afford migrants the option to request asylum and international protection within Libya, given that Libya is not a signatory to the Geneva Convention for Refugees of 1951. On the other hand, migrants who manage to be rescued by Mediterranean ships by NGOs are not always welcomed and might spend days at sea before they can land in a European state (De Guttery, Capone & Sommario, 2018, p.35).

These practices not only contradict international law and norms, but jeopardize women's and children's lives while separating families. Many perish while searching for a better life. This circumstance thus needs to alter. Now more than ever, we must provide migrants with alternate, safe and legal paths to enter Europe. The attitude to political agreements that prevent individuals from fleeing war zones is most essential. It is vital to alter. We need a frank discourse which provides proactive solutions, addresses the fundamental reasons of migration and provides realistic and practical remedies. We must also have conversation, rather than unilateral acts to satisfy Europe's short-term, unsustainable interests, with African nations of origin and transit in order to develop regional policy.

To conclude, African states must clearly be empowered, corruption fought, human rights abided by more and more, oppressive tyrant regimes defended and sanctioned, regional dialog promoted, livelihood options invested and educational capacity improved without risk of the democratic transition. Political stability must be strengthened. In the final analysis, all parties concerned should aim at resolving migration problems in a comprehensive fashion instead of merely managing them by concentrating on the fundamental factors that force persons to risk their lives on perilous travel to Libya and beyond.

3.30. International Organizations in The Libyan Coast

Many humanitarian organizations have stepped in to fill the void left by Mare Nostrum's demise, chartering or buying boats to rescue migrants in peril and bringing them to safety in Europe. All migrants rescued by nongovernmental organizations (NGOs) and brought to Italy were disembarked there from 2015 to 2017. Only four times in 2018 and 2019 were NGO ships allowed to offload refugees in Malta. Maltese nonprofit Migrant Offshore Aid Station (MOAS) was established in September 2014 to conduct non-governmental SAR (Search and Rescue) operations in the Mediterranean Sea (MOAS). Sea-Watch and the Médecins Sans Frontières offices in Brussels and Barcelona followed in MOAS' footsteps in 2015. At the end of 2016, there were 10 separate non-profit organizations working at sea. In 2015 and 2016, only MOAS and Doctors Without Borders (MSF) operated two ships at the same time.

NGO vessels were too small to execute the majority of SAR missions, yet they nonetheless helped more than 40,000 migrants in 2016 and 2017. Migrants might either be disembarked at the port designated by Italian officials or rescued until a larger vessel arrived to take them back to Italy (Cuttitta, 2018, p.28). In the end, the criticism of non-governmental marine rescue was fierce. In response to Frontex's (2017, p.67) warning that non-governmental organizations (NGOs) might operate as a catalyst for irregular migration, Italian opposition leaders, prosecutors, and the media called on the government to tighten restrictions on or dissuade NGOs from working in the country at all costs. In several cases, such as the 2017 Code of Conduct on Maritime Rescue, the European Council has given their support

(Rettman, 2017, p.66). As of 2017, courts in Italy and Malta have impounded a number of vessels on the suspicion that they were being used to help in illegal immigration. In June of 2018, it became illegal for any rescue ship flying a foreign flag to enter Italian territorial waters. NGOs were forced to substantially restrict their activities after being denied the ability to unload migrants in adjacent ports and facing an increasing danger of punishment. From January to October this year, non-governmental organizations (NGOs) only had a presence at sea for 85 days (Cusumano and Villa, 2019, p.25).

The Libyan Government of National Accord (LCGN) law enforcement agencies were strengthened by a series of measures taken by Italian and European authorities, mostly through training and financial support provided to the LCGN. There have been rising indications that Italy's newly constituted Coast Guard and Navy is not yet capable of properly conducting SAR operations along Libya's South-Ridge Road (SRR). Since Tripoli's authorities formally asserted responsibility for their own MRR before the International Maritime Organization in December 2017, this trend has gained speed (Baldwin-Edwards and Lutterbeck, 2019,p.18).

Since late 2017, the amount of migrants rescued or apprehended by Libyan authorities has taken on a new significance in terms of absolute numbers. The function of the LCGN in the Southern Mediterranean has aroused severe concerns because of the decline in the number of departures and the diminished presence at sea of both NGOs and European State assets, as discussed in the preceding sections (UNHCR, 2016, p.37). SOS calls are frequently ignored by the LCGN, patrols are not sent out quickly enough, or all those located in difficulty are not rescued. The LCGN has often used force during its operations because to the fact that migrants frequently resist being brought back to Libya, where they are likely to be abused in prison centers (UNHCR, 2016, p.122). Here, it is probable that the number of deaths has increased significantly.

As of 2014, marine search and rescue (SAR) activities by both governmental and commercial actors have been accused of encouraging more departures from the southern Mediterranean shores, resulting in an increase in crossings and deaths (Frontex, 2017, p.12). From late 2013 to 2017, when proactive SAR efforts were

performed, irregular crossings from Libya were five times greater than either before or after this period of time. While the overlap between SAR operations and illegal maritime border crossings is important, it is not the only factor that contributes to the flow of illegal migrants. As a result, this correlation is skewed by reverse causation: rather than "driving" illegal migration, proactive SAR efforts were undertaken in reaction to the increased number of casualties related to unauthorized crossings.

It was already three to eight times more common to try a passage from Libya in the four months before the commencement of Mare Nostrum than it was in 2012. Estimated departures peaked in September 2013 at 9,757, more than eight times the 1,272 crossings in September 2012, according to this data. Mare Nostrum began in the midst of a deteriorating civil conflict in Libya, making it even more difficult to determine if the Italian Navy's rescue efforts were luring people to try to reach Europe or if people traffickers were taking advantage of Libya's political vacuum.

Non-profit organizations' operations give further proof that this supposed pull effect is not as significant as previously thought. Non-governmental rescues were thought to be particularly attractive to illegal migrants because of their proximity to the Libyan coastline (Frontex, 2017, p.12). There is, however, a multivariate regression model that reveals that the proportion of rescue operations done by NGOs had no significant impact on the number of migrants leaving Libya between January 2014 and September 2019. Migrant departures from Libya have a strong seasonal trend, and Italy's onshore containment policies since July 2017 under Interior Minister Minniti, when Italy obtained the cooperation of Libya's tribes and militias in curbing irregular departures, are the only variables that are strongly correlated with migrant exit. Restrictions on the operations of non-governmental organizations (NGOs) implemented during the tenure of Interior Minister Salvini (June 2018–August 2019) appear to have had little effect on irregular departures.

Since 2019, the lack of any discernible pull effect has been particularly apparent. Non-governmental organizations (NGOs) were the only vessels in Europe doing SAR missions during that time period. This paves the way for a second experiment to see if the number of daily attempts to cross from Libya and the presence or absence of nongovernmental organizations (NGOs) off Libya's coast are

linked. Migrant departures from Libya during this time period were no more frequent on days when NGOs were present at sea as on days when none were. There appears to be a large rise in marine crossings due to meteorological conditions (Cusumano and Villa, 2019, p.47).

Finally, our studies show that proactive SAR activities had no meaningful impact on either the growth of departures since mid-2013 or the precipitous decline after July 2017. The findings of other researchers, on the other hand, imply that rescue efforts stimulate migrant sea crossings in more dangerous weather and with more flimsy boats (Deiana et. al, 2019,p.27). As a result, further study is needed to establish or reject that an irregular migratory pull effect exists. SAR efforts do not appear to have a substantial impact on the number of irregular crossings during the first few months of 2020, according to data collected during this time period. When Italy and Malta announced that their ports would no longer serve as safe havens for migrants following the COVID-19 crisis, irregular departures from Libya and Tunisia from January to May 2020 more than quadrupled compared to the first five months in 2019.

Also worth investigating is the link between SAR activities and the dangers of unauthorized border crossings. At roughly 1.5%–2%, irregular departures from the maritime border crossing have remained rather consistent over much of the period under consideration, despite major changes in their numbers. As a result, despite the efforts of non-governmental rescuers to advance closer to the Libyan coast, the risk of dying at sea remained high. A controversy has arisen about the effectiveness of rescue operations, with some arguing that humanitarian efforts are undermined by smugglers' ability to take advantage of SAR operations by using more untrustworthy vessels (Deiana et al., 2019, p.54).

However, the data that are now available may be skewed due to the increased public awareness of maritime fatalities as a result of the existence of SAR resources. Furthermore, states' efforts to prevent migrant traffickers may have the unintended effect of raising the risk of crossing. At least 545 vessels were sunk in an effort by European warships to break up smuggling networks (European Council, 2018, p.34). The use of flimsy dinghies is thought to have increased as a result of this activity,

which in turn has contributed to the sea crossing's increased urgency (Heller and Pezzani, 2020, p.8).

In addition, casualties rose substantially in the fourth phase of Central Mediterranean SAR operations, which we discovered. As a result of Italian authorities criminalizing NGOs and leaving only the LCGN to handle interceptions and rescues, the risk of sea crossings increased to 6.1% between June 2018 and August 2019. It was only in September of this year, when Italy's newly-formed government eased limitations on sea rescue NGOs, that the number of deaths on the route returned to pre-September levels (1.3 percent). A look at the first few months of 2020 shows that the mortality rate has risen only marginally, even if the number of SAR assets has decreased significantly. After this catastrophe, there is a potential that the number of fatalities has been underreported. This advises care when using these data (Sanchez and Achilli, 2020, p.6).

Although EU and NGO SAR efforts cannot completely eliminate the risk of unauthorized crossings, they play a critical role in preventing them from becoming more widespread. An LCGN patrolling the Libyan beaches may cover an essential vacuum in rescue capabilities and indirectly minimize deaths by preventing illegal departures, since European State and civil society assets traditionally avoided operating too near to Tripoli's territorial seas. As a result of this lack of preparedness, refugees are being deported back to Libya against their will by this agency. There appears to be no benefit to depending on the LCGN in this circumstance.

Maritime rescue efforts in the Central Mediterranean Route have undergone four stages of development. A void in Libya's rescue capabilities was first supplied only intermittently by Italian and Maltese troops and commercial boats, but Italy and the European Union deployed military and law enforcement missions that carried out a considerable number of SAR operations. Civil society was given a greater role as a result of their gradual withdrawal from the Mediterranean. As the number of non-governmental organizations (NGOs) dwindling, the newly founded LCGN has emerged as the primary supplier of SAR operations in Italy. As a result, migrants rescued in the Southern Mediterranean are increasingly disembarking on Libyan

land, even though it does not meet the definition of a safe haven under international law.

These processes are so intricate that it is impossible to make firm conclusions, necessitating more investigation. Even yet, our first findings show the continued significance of rescue efforts using both public and private European assets. In lowering the length of time it takes to cross the sea, these SAR missions appear to have had an essential (though not critical) role, but they did not greatly contribute to encouraging seaborne migration. A major humanitarian disaster might arise from the stoppage of rescue activities in response to the COVID-19 problem, increasing the dangers of illegal migration via the Central Mediterranean Route even more.

3.31. The Refugee Problem and Serious Solution

Human Rights Watch stated today that more than 2,000 African asylum seekers, refugees, and migrants who have been sleeping outside a United Nations building since early October 2021 are in urgent need of shelter, food, and medical care. Humanitarian evacuations should be ramped up in light of Libyan authorities' ability to keep refugees from reaching European coastlines due to European governments' cooperation.

The Community Day Centre (CDC) became a focal point for thousands of migrants and asylum seekers when armed forces affiliated to the Interior Ministry launched widespread raids and demolished improvised shelters in the Tripoli municipality of Hai al-Andalous. Thousands of people were rendered homeless as a result of their stated efforts to combat organized crime. Refugees outside the CDC, where UNHCR had previously given medical aid and other services, continue to peacefully demand their removal from Libya to a safe destination under increasing humanitarian conditions and assaults by armed groups (Maltezou et al., 2017, p.27).

The Libyan authorities created a humanitarian catastrophe by demolishing migrants' and asylum seekers' improvised shelters, forcing thousands of people to fend for themselves in the streets," said Human Rights Watch's Libya director Hanan Salah. Libya and European governments must act quickly to address this fast

deteriorating situation, in which citizens face violence and lack basic assistance for necessities.

Human Rights Watch met with refugees and asylum seekers who were camped up near the CDC, as well as civic organizations. Researchers also looked at images and videos gleaned from social media and provided by asylum seekers and refugees (Barbulescu, 2017, p.12). A number of armed organizations and police units affiliated with the GNU's Interior Ministry conducted raids in the Gergaresh region of Tripoli, where many African migrants and asylum seekers reside, on October 1 and the following days, ostensibly to disrupt illegal drug trafficking rings. At least 5,000 people were detained by the organizations, including women and children as well as asylum seekers and refugees who had been registered with the UNHCR.

Armed gangs carried out the raids, which resulted in one death and at least 15 injuries, according to the UN Refugee Agency. People were taken into custody and imprisoned without individual immigration or asylum status verification by armed groups. In addition, armed forces and units under the Interior Ministry dismantled improvised homes without providing any feasible replacements, leaving thousands of people functionally homeless.

Multiple armed groups and Interior Ministry troops encircled the area with armored vehicles and light and heavy weaponry, according to a registered asylum seeker from South Sudan who was at his home during early morning raids on October 1. "I could hear many ladies and children sobbing," he claimed of the shooting, which lasted from 1 a.m. until 8 a.m. I witnessed a scene of utter devastation. I managed to get myself and a few others out, but the rest of the day and night was spent in a state of constant anxiety and hunger and thirst. As a result of our fear of asking for help, some of us even drank seawater instead.

Authorities sent approximately 4,000 individuals, primarily women and children, to Al-Mabani, an immigrant jail near Ghot al Shaal on October 1, while relocating the remainder to other detention facilities for migrants in Tripoli. Al-overcrowding, Mabani's lack of food and medical care, and ill-treatment led to

rioting and mass jail escape on October 8, according to many captives who were present (Adesina, 2021, p.35).

Many ex-detainees have recounted horrific beatings they suffered at the hands of guards, including one who died on October 5 after being struck in the head with a metal item, according to testimony from former inmates. According to the International Organization for Migration, at least six inmates were murdered and scores more were injured when guards opened fire during the breakout.

Striking images were shared by those camped out on the sidewalks in front of the CDC. UNHCR has not received any monetary or in-kind help since it shuttered its facility on October 4 because to safety concerns for its workers because of the enormous crowds camping there and neither has the Libyan government. According to what they indicated; some food was given by private individuals. According to them, they lacked access to clean water, restrooms, and shelter from the weather, and had only a little amount of money to eat (Vari, 2020). Traffic accidents and armed organizations also pose a threat to those who camp out on the streets. A 17-year-old Eritrean teenager was killed on October 27 after he was struck by a car, according to UNHCR. Amer Abker, a Sudanese asylum applicant, was beaten and twice shot by armed men in front of the CDC on October 12, according to numerous migrants who witnessed the incident. The next day, he passed away (Türkmen, 2021, p.62).

A Sudanese asylum seeker claimed he traveled for an hour to go to a friend's house so he could shower and use the restroom. "Even mosques have now closed their doors to us refugees," he remarked, referring to the migrants. "I'm frightened to move for fear of being assaulted. Because we have no one to turn to, we are terrified.

Rights group Human Rights Watch has urged the UNHCR to investigate all possible routes to ensure that the basic needs of persons currently outside of the CDC are provided and to identify those who require protection. The United Nations Refugee Agency (UNHCR) should also take swift action to restore the facility securely, including providing shelter for the most vulnerable among the homeless (Rozadilla Castillo, 2020, p.102).

On October 1, Abdelhamid Dabeiba declared the Interior Ministry officials heroes in an official statement. "A planned security operation to eradicate the major drug manufacturing and distribution dens in the Gergaresh area," he said, without offering any evidence, and he threatened to pursue criminals "in all parts of Libya."

When Tripoli authorities give the go-ahead to resume humanitarian evacuations, which have been on hold since August, UNHCR says it has designated more than 1,000 individuals as high priorities (Türkmen, 2021, p.42). Human Rights Watch called on Libya's General Prosecutor to launch an urgent inquiry into reports that asylum seekers and migrants died as a result of security operations and a jail escape in early October. For years, Human Rights Watch has documented extensive and systematic abuses of migrants and refugees in Libya by prison guards, armed groups affiliated to Libyan authorities, and traffickers and smugglers, all of whom have gotten away with it. Nearly 28,000 individuals were detained at sea by Libyan authorities between January and September, when they were subjected to terrible prison conditions, sexual abuse and forced labor as well as extortion (Pai, 2020, p.5).

European Union strategies to keep migrants and asylum seekers in Libya under control by assisting Libyan authorities, as well as proof that this assistance contributes to continuous abuses despite mitigation measures, render the EU complicit in these abuses. The EU has a specific duty to ensure the evacuation of refugees, asylum seekers, and migrants in danger in Libya, including to EU nations directly (Triandafyllidou, 2018, p.22). Members of the United Nations must demand that Libyan authorities release all refugees, asylum seekers, and migrants who have been arbitrarily detained; that UNHCR be officially recognized and allowed to carry out its mandate; that the 1951 Refugee Convention be signed and ratified; and that national programs to monitor human rights violations against migrants be established in order to provide independent, impartial, and transparent oversight (Mafu, 2019, p.59). In order to help people in desperate need, "the international community, especially UNHCR, has to boost up relief operations, and Libyan authorities need to overcome the gridlock and swiftly ensure the restart of humanitarian evacuations," Salah stated. "Temporary safe solutions and feasible alternatives to imprisonment should be given to refugees, asylum seekers, and migrants who need housing."

In order to solve the crisis in Italy and Europe, we must not only focus on Europe's borders, but we must also return to Libya and improve its capacity to counter this." To put an end to the influx of individuals living in abhorrent conditions, the camps in the southern part of the country must be closed. Libya must be supported while it recovers and builds the infrastructure to manage the flow of migrants and traffickers through the nation and on to the Mediterranean (Tazzioli et al., 2018, p.25).

Late in July, EU Commissioner Avramopoulos, who is in charge of migration, expressed assistance for Italy and urged EU member countries to go farther in combating illegal migration. Asylum seekers and refugees must be relocated quickly, and emergency financing must be mobilized, he said. To reverse this established migration route, which has become the preferred choice as others are closed down, the efforts should be focused on:

- Locals for local solutions: locals for locals

A country's finest long-term solutions are always those that are created and implemented with the help of its own citizens. All of this should be done to assist them cope with the situation rather than putting external answers on them. Local issues have global consequences, and the international community must take action to address them:

After all, this matter must be taken care of by the Libyans themselves. From the effects on African countries to the policing of Mediterranean waterways and the humanitarian dilemma of migrants who make it through to shore in Italy or are turned back; as well as the knock-on effect on local people across Europe, the crisis in Libya has global repercussions. The FT stated that 73,000 migrants had arrived in Italy alone by the end of June 2017 (Rozadilla Castillo, 2020, p.122).

Much has already been accomplished by the European Union, but Jean-Claude Juncker made a point during the Malta Summit in February on the need of aiding the Libyan Coast Guard's efforts. He said that the smugglers' economic model must be disrupted, Libyan crisis management skills must be strengthened, and the country's southern border must be better managed by Libya. Operation Sophia will

continue in the Mediterranean until the end of 2018, according to a commitment announced this week. While this may give us some time, it should be put to better use by developing new and more comprehensive solutions.

Much may be done to aid, and not simply through military means. Expanding Operation Sophia is made possible by the corporate sector's involvement in coordinating the work of many non-governmental organizations (NGOs). Contributing surveillance and intelligence-gathering technologies is one possibility. Crime may be reduced by providing the international community with technology as well as training and mentorship for the local police (Popescu, 2016).

In addition to intercepting and detaining immigrants on their way to Europe, technology will have a far-reaching impact. Building a picture of where those unfortunates who do not make it to the shore – who are sold into slavery through sophisticated markets – will help reduce crime and human rights violations even more. A coalition of willing local groups, including police, military, coastguards, and more, can be formed by international organizations. The worldwide community, whether business or public sector, is the greatest location to bring together the numerous parties involved in this effort to find a solution.

- Eliminating illegal activity and the fuel that it provides:

In the same way that drug barons have been pursued, maybe the most significant impact would be to take on the money gained by human trafficking. What is the location of the money? What is the purpose of it?

We'll need a three-pronged strategy for this. Delivering solutions on the ground, boosting engagement with potential immigrants, and refuting the illusions they have consumed about the opportunities Europe offers, is the first step. As a result, no one will be able to cross the border into Libya or travel farther than that. In accordance with a well-established procedure and method, they must be returned to their countries of origin via compassionate border camps. To stop victims from being dumped into the ocean, law enforcement must take action against the crooks running the despicable camps (Nakache & Losier, 2017, p.41).

Libya, like Italy, is in desperate need of outside assistance to manage its borders. This may be addressed, however, by a strong reaction led by a coalition of European and Libyan experts from the corporate and governmental sectors as well as international humanitarian organizations. Increasing support for Italy may be late in coming, but any industrialized nation would find it difficult to manage with such a big influx of newcomers. Finally, international assistance is required to begin dismantling the criminal networks that are responsible for the trafficking. Tracing money flows and freezing assets are some of the methods for locating and tracing bank accounts.

3.32. The Role of Organizations in Protecting Migrants

Migrants who have been rescued at sea can get immediate help from IOM staff stationed at the disembarkation locations in Libya. Disembarking migrants are sent to detention centers run by the Libyan Directorate for Combating Illegal Migration (DCIM), which the Organization has no jurisdiction or supervision over. Arbitrarily detaining men, women, and children is unacceptable. Detainees in these detention centers are subject to intolerable and cruel circumstances, and IOM continues to push for alternatives (Kasozi, 2017, p.12).

Since January 2018, over 16,000 migrants have been returned to Libyan coasts, and their safety and security in Libya remain a source of worry owing to circumstances in detention centers (Colombo, 2018, p.3). International Organization for Migration only has access to facilities where it can deliver direct humanitarian aid in the form of non-food goods as well as medical care and safety nets for migrants who want to return home. Although the International Organization for Migration has access to detention centers in Libya, it cannot ensure the safety and protection of detainees from major alleged abuses. Women, children, and other marginalized migrants should not be held in closed facilities, according to the IOM. Migrants returning to Libya from abroad should not be subjected to imprisonment

(Pradella & Taghdisi Rad, 2017, p.27). Reiterating its position, the International Organization for Migration said that Libya is not a secure port or safe sanctuary for migrants.

3.32.1. Right to Access to Justice

The most important sub-title in terms of children's right to access justice in migration processes is exposing these children to penalties, measures or treatments that result in deprivation of their freedom. In these processes, children can be kept under control for long periods of time without giving sufficient reasons and without resorting to judicial review before the court. Especially in the United States and Australia, the length of detention periods with documented serious health problems and without a sufficient reason attracted attention. In this way, unaccompanied minors may also face long periods of detention in inhumane conditions (Park, 2015).

Regarding the freedom-binding measures taken in terms of adult immigrants, there are limitations brought by Article 9 of the International Covenant on Civil and Political Rights dated 16 December 1966, that these measures are in line with national law and that they are taken for reasonable periods. The most successful international law regulating the rights of children, the United Nations Convention on the Rights of the Child (UNCRC), on the other hand, included a much broader protection in its 37th article in terms of measures to deprive children of their liberty. "No child shall be unlawfully or arbitrarily deprived of his liberty. The arrest, detention or imprisonment of a child shall be required by law and shall only be considered as a measure of last resort and for the shortest possible period of time." This prohibition against arbitrary freedom-binding penalties and interventions, which find application in all immigration-related processes, has also become one of the general principles of international law. In addition, these children should have the opportunity to have the legality of detention orders made for long periods of time and without sufficient reason being challenged before the court. In this context, UNCRC article 37/f.1/b.d states that "Every child deprived of his/her liberty shall have the right to benefit from legal and other appropriate assistance in a short time, and that the deprivation of liberty shall be unlawful by a court or other competent, independent and He shall also have the right to claim before an impartial authority and to seek an immediate decision in relation to such a proceeding." brought its verdict (Du et al., 2016, p.42).

One of the most important issues in terms of migrant children's access to justice is their right to be heard. In paragraph 2 of article 12 of the UNCRC, the importance of the issue was emphasized by specifically giving the opportunity to be heard in any judicial or administrative proceedings affecting the child, either directly or through a representative or an appropriate authority. In addition, it is possible that children are not represented equally in judicial processes. In some cases, this may result in the unequal treatment of children under the same conditions, contrary to the prohibition of discrimination, which is also emphasized in Article 2 of the UNCRC, due to the differences in the quality of the representation of children. For this reason, it should not be forgotten that an important part of the child's right to be heard is to be represented effectively (Barbulescu, 2017, p.33).

In addition, the rule that the best interest of the child constitutes a primary consideration in Article 3 of the UNCRC is one of the main issues to be considered in this regard. In this context, for example, the rights of children to be together with their families in Article 9 of the UNCRC may be in conflict with the principle of the best interests of the child, when the relevant family member is under a measure that binds freedom (Maltezou et al., 2017, p.12).

3.32.2. Health and Shelter Right

The Convention on Economic, Social and Cultural Rights regulates the right to standard of living in its 11th article, which is important in terms of both the right to housing and the right to health. According to this article, "States Parties shall ensure that everyone has an adequate standard of living for himself and his family.

This standard includes adequate nutrition, clothing, shelter and continuous improvement of living conditions. States Parties shall take appropriate measures to ensure the realization of this right, recognizing that international cooperation based on their free will is essential." The Convention on the Rights of the Child, on the other hand, additionally stipulates in its article 27 that "States Parties recognize that every child has the right to a standard of living adequate for his or her physical, mental, spiritual, moral and social development". Article 12 of the Covenant on

Economic, Social and Cultural Rights also envisages a right to a standard of health. According to this provision, “States Parties recognize the right of everyone to the enjoyment of the highest possible standard of physical and mental health.” States parties are expected to take the measures to fully realize this right in terms of: reducing the existing birth rate and infant mortality, ensuring the healthy development of children, promoting environmental health and industrial cleanliness in all aspects, preventing epidemics, local diseases, occupational diseases and Prevention, treatment and control of other diseases, creating the necessary conditions for the provision of all kinds of health services and care in case of illness Many countries, which are in the position of destination countries for migration, provide emergency, necessary and in some cases comprehensive health services to child migrants, regardless of the status of refugees.

There is a wide variety of practices in this regard in Europe. For example, Spain and Italy offer comprehensive health care to everyone free of charge. France, Belgium and the Netherlands, on the other hand, apply a separate system for immigrants, but also offer immigrants free access to certain health services. The United Kingdom and Portugal have a more restrictive system, while Hungary and Germany offer free health care only in certain circumstances. However, despite all this, it is observed that child immigrants have difficulty in accessing health services and are discriminated against because they do not have health insurance.

For example, in France, child immigrants are required to show a permanent address in order to access emergency health care, while in the United States, although emergency health care is provided to migrant children, their expenses are not covered (Colombo, 2018, p.28). The right to health is also included in the sustainable development goals of the United Nations with its various dimensions. In this context, by 2030, ensuring universal access to reproductive health services, including sexual health and family planning, and information and education on this subject, integrating reproductive health into national strategies and programs, protecting from financial risk, access to quality primary health care services and ensuring safe, effective, It is aimed to establish a universal health insurance system

that includes access to quality and affordable essential medicines and vaccines (Kasozi, 2017, p.33).

3.32.3. Education Right

In addition to being a special right for children, the right to education is also an important tool for the integration of immigrant children into their country of residence. In this way, children will be able to adapt to their new environment, mingle with their peers and learn the language of the country they are in. However, studies show that in some European countries, undocumented children are exposed to various discriminations in terms of getting education. This right is guaranteed in Article 13 of the Covenant on Economic, Social and Cultural Rights. According to this article, “States Parties recognize the right to education for everyone.

The Contracting States are united in the provision of education for the full development of the human personality and dignity and for the strengthening of respect for human rights and fundamental freedoms. States also agree to provide education that will enable all to participate effectively in a libertarian society, promote understanding, tolerance and friendship among all nations and all racial, ethnic and religious groups, and advance the activities of the United Nations for the maintenance of peace.” This article also imposes some obligations on the contracting states for the full realization of the right to education, and today most of the contracting states fulfill these obligations (Tazzioli et al., 2018, p.12).

According to this; Primary education is compulsory and free primary education is provided to all, different types of secondary education, including technical and vocational education, and especially free development education at the beginning, are made available to all, as a rule, by all appropriate means. Higher education is made equally available to all, according to the measure of ability, by all appropriate means, in particular free initial development training, and those who have not completed the whole period of primary education or have never received it are encouraged or encouraged to take as much basic education as possible. is compelled to take (Maltezou et al., 2017, p.54).

One of the texts that guarantees the right to education is the Universal Declaration of Human Rights. According to article 26 of the declaration, everyone has the right to education. Education is free, at least in the primary and basic education phase. Primary education is compulsory. Technical and vocational training is open to everyone. Higher education should be open to all with full equality according to their abilities. Education should be aimed at the full development of the human personality and to strengthen respect for human rights and fundamental freedoms. Education should promote understanding, tolerance and friendship among all nations, races and religious communities and should advance the United Nations' work in maintaining peace. It is primarily the right of parents to choose the type of education to be given to children (Colombo, 2018, p.32).

In addition, according to the United Nations Declaration of the Rights of the Child, children with physical, mental or social difficulties will be provided with rehabilitation, care, education and training in accordance with their special situation, and all children have the right to education in accordance with their special situation without discrimination. According to this declaration, an education in accordance with the equality conditions will be provided to the child so that he can develop himself and become a useful individual for the society. Persons responsible for the realization of the child's right to education shall, in principle, look after the best interests of the child. In this regard, the child's parents, public personnel and the society will work in cooperation (Mafu, 2019, p.55).

Another source that protects the child's right to education is the Convention on the Rights of the Child. Pursuant to the provision of this article, States parties recognize the right of the child to education and, with a view to the gradual realization of this right on the basis of equal opportunity, in particular: Make primary education compulsory and free for all, encourage the organization of secondary education systems in various forms, both general and vocational, and they make it available to all children and take appropriate measures, such as financial assistance where necessary and making education free, make higher education available to all according to their abilities, using all appropriate means, make information and

guidance on education and career choice available to all children; and They take measures to ensure regular attendance at schools and to reduce dropout rates.

According to Article 29 of the Treaty, States Parties include the development of the child's personality, talents, mental and physical abilities as much as possible, development of respect for human rights and fundamental freedoms, principles adopted in the United Nations Charter, and respect for the child's parents, cultural identity, language and values. promoting respect for the national values of the country of origin or origin of the child, and for civilizations different from his own, in a spirit of understanding, peace, tolerance, equality between the sexes and friendship among all peoples, whether ethnic, national, religious or indigenous, preparation in a society to assume responsibility for life and to develop respect for the natural environment. It is important that these constitute the basic principles in the education of immigrant children (Pai, 2020, p.69).

However, the European Convention on Human Rights and its Additional Protocols also contain some provisions regarding the child's right to education. Pursuant to article 5, subparagraph d of the European Convention on Human Rights, a child may be placed under administrative detention with a lawful decision for educational purposes, or he may be detained in accordance with the law in order to be brought before the competent authority. While Protocol No. 1 of the European Convention on Human Rights guarantees the right to education, Protocol No. 7 regulates the equality of parents and the use of the right of custody for the benefit of the child.

Finally, in Article 22 of the Geneva Convention, the states parties will treat refugees with the same treatment as their citizens regarding basic education, and refugees will be exempted from education other than basic education, especially from studies, recognition of education certificates, university diplomas and degrees obtained from foreign schools, and fees and charges. It has brought a protection to the child's right to education by saying that they will treat them as appropriately as possible in the fields of exemption and education scholarships and in any case no less favorable than those accorded to foreigners in the same conditions in general.

3.33. Libyans Opinions of Illegal Immigrants

The number of illegal immigrants has increased in a very frightening way in recent years in Libya, as a result of the lawlessness and the lack of state control over its entire borders due to the political division and wars taking place among Libyans.

The southern Libyan border is the longest land border line for Libya with neighboring countries Chad, Niger, Sudan and Algeria. There is no doubt that the illegal immigration that originates from these countries affects the demographic structure of Libya and the population of the south in particular, since since 2011 Libya has become a fragile state with no secured borders or There is a system in it, no army to protect it, and no security and military forces to secure it. This has made southern Libya suffer from an organized illegal immigration crisis on which criminal gangs are based, whether these gangs are inside or outside the country (Barbulescu, 2017, p. 19).

Unfortunately, the south of Libya today, as a result of the absence of the state, is the largest place in which illegal immigrants from the African community reside, because for them it is the main outlet for crossing from the south to the Libyan coast, where the number of immigrants, according to statistics issued by the United Nations for the year 2018, "more than 669,000 immigrants" on The Libyan lands, and this is the reason for a major demographic change in some Libyan cities as a result of the crowding of Africans present in them, and the large presence of these African migrants in some cities in the south caused very large security, health, social and economic problems, which led to the population of some of the small Libyan villages in the south of Libya Especially in Wadi Murzuq, to abandon their cities and leave them because of the many criminal operations and killings committed by these immigrants against the citizens (Adesina, 2021, p. 7).

Many illegal immigrants view Libya's decision to expel an estimated one million illegal immigrants as an empty threat. This is not the first time that the North African country bordering Europe from the south has threatened to take such a step. Official authorities consider that these illegal immigrants create problems, including "economic, health, social and security impact." While some Libyans blame illegal

immigrants for the crime, some believe that expelling all illegal immigrants is not a "good economic option for the country."

Libyans generally have different opinions about illegal immigration. Many feel that their situation should be regulated in order to avoid engaging in illegal activities, while others express concern about Libya's future. Western societies have historically been built on the shoulders of immigrants and are still benefiting from their services and the cheap labor they provide, and Libya needs the labor energy required to meet the needs of development and its activities (Pai, 2020,p.11).

Libya had recently signed an agreement with Italy to conduct joint patrols in the territorial waters of the two countries. However, Libyan officials said that they need help from Europe to control the borders, especially the desert borders of Libya. Tripoli says it has ordered helicopters, night vision equipment and radar equipment from the European Union, but has not yet received them. During the past years, the Libyan government carried out sporadic deportations of illegal immigrants from time to time. According to the International Organization for Migration, deportations by the Libyan government of illegal immigrants have gradually increased in recent years. It is reported that Libya deported more than 64,000 migrants to their countries of origin in 2006. At the beginning of last year, the Libyan Prime Minister announced that all workers have two months to obtain a contract and regularize their status legally, or that they must leave the country (Rozadilla Castillo, 2020, p. 43).

But after the expiry of the period, no action was taken. In September, diplomats said, Egypt had tightened restrictions on its border with Libya - to ensure that people traveling through it had contracts of work. It is estimated that there are between half a million and 700,000 Egyptians in Libya, most of them illegally. Libyans may face prosecution and fines for hiding or employing illegal immigrants. But some Libyans privately complain that when they tried to regularize their workers, they were unable to do so. Some immigrants say they know some who have been regularized through foreign employers. When threats of expulsion are issued, many undocumented immigrants give up gathering at the places where they usually congregate to provide services such as plumbing and housework and to offer their

services to passing cars. But when those threats subside and the atmosphere calms down, they reappear (Vari, 2020, p. 61).



CHAPTER IV

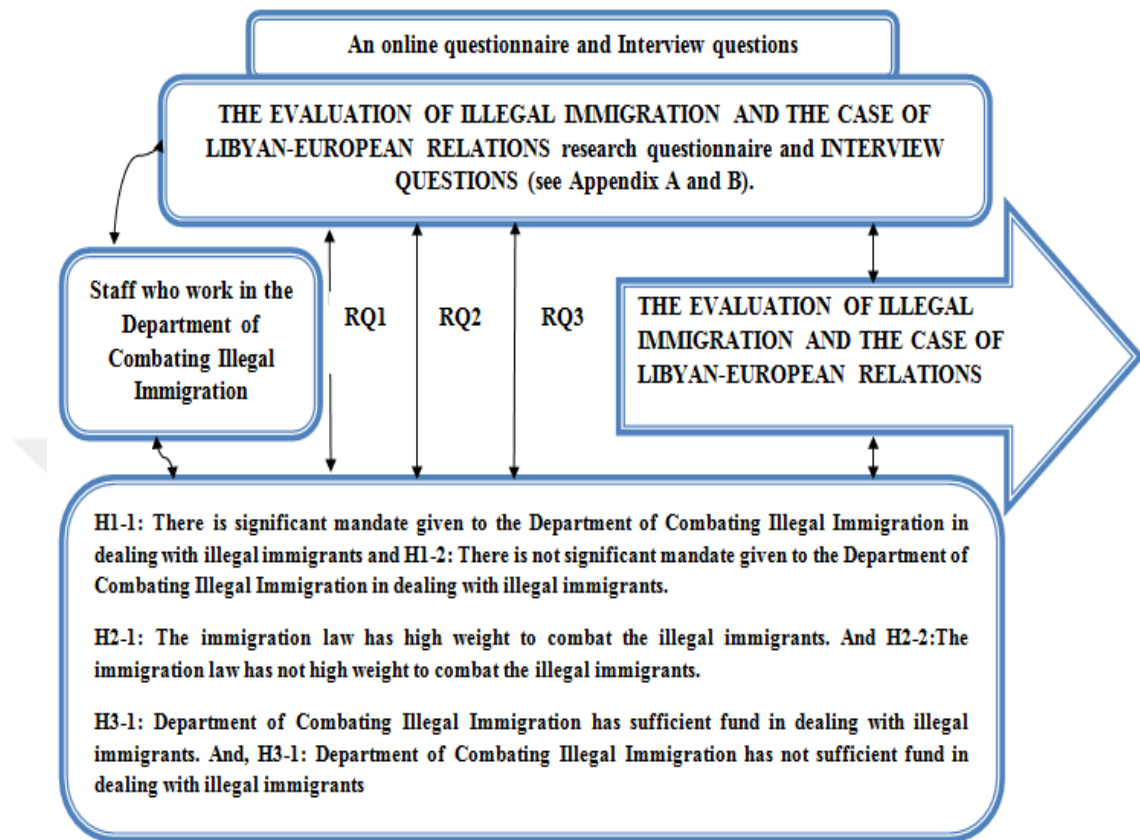
4. THE APPLICATION OF ILLEGAL IMMIGRATION AND THE CASE OF LIBYAN EUROPEAN RELATIONS

At this chapter, we will describe the methods which have been used in this study. generally, it will focus on many sections including research design, study area and selection criteria, scope of the study, research participants, sampling, sample frame and sample size, method of data collection, research hypotheses, measurement instruments, questionnaire questions, interview questions and data analysis and presentation.

4.1. Research Design

Research design term refers to the plan that clarifies the method and strategy of how the research will be implemented by the researcher. It represents a plan and includes many rules which allow the researcher to theorize and perceive the problem of the study. The current study uses expletory research method where it explored, examined and provided analysis to the data of the field study. We employed this type of designs because of understanding the nature or mechanism of relationship between the variables of the study. Also, it can help to expand our vision to evaluate the illegal immigration and the case of Libyan-European relationships. This study is mixed between the quantitative and qualitative research method where the practical data of the study has been collected by well-designed questionnaire and interviews from convenient sample and all of them are employees work in Department of Combating Illegal Immigration. The items of the questionnaire and interviews have been adopted from previous studies.

Figure 4.1. The Practical Framework of The study



The practical part of this study has been implemented in Libya. We selected this case study because Libya suffered a lot because of illegal immigration and legal immigrants and those immigrants effected negatively to the Libyan-European relationships. This study is considered the first study of its type implemented The Libyan Department of Combating Illegal Immigration and Libyan European relationships while the problem is still existence as mentioned by many references such as media and monthly and annual immigration reports.

Currently, Illegal immigration and illegal immigrants are global problems. Nevertheless, the present study is confined to evaluate the illegal immigration and the Libyan-European relationships. Also, it includes the environmental challenges faced by department of combating the illegal immigration in Libya. The population of the study or study participants is a set of all cases where the researcher is

interested and intended to make generalization. As the number of workers in this department exceed ten thousand employees. The participants of this study are staffs who work in the Department of Combating Illegal Immigration and the total number of the study participants at this study is 414 participants. We selected these types of participants because Libya is among the countries which suffer from illegal immigrants and the Department of Combating Illegal Immigration in Libya faces many difficulties and challenges during its works on this issue.

4.2. Sampling, Sample Frame and Sample Size

4.2.1. Sampling

The sample of study in research is a group of people, items or objects which are taken from a larger population for measurement. It must be representative of the population to confirm that we can generalize the results from the research sample of the population entirely. The samples of this study are employees in department of combating illegal immigration in Libya. The simple random sampling method used to confirm that there is a possibility for each person in the sampling population to be chosen as sample. This is due that the population from which a sample was drawn constitutes a homogenous group. We selected a simple random sampling method because the study only focuses on the staff of department of combating illegal immigration in Libya. The participants of the study work in different positions in the mentioned department. Simple random sample is more effective to reduce the biases degree between participants. Whereas purposive sampling has been chosen because it focuses on specific participants who have enough information associate with the topic of the study.

4.2.2. Sample Frame

The sampling frame is a list of eligible members of population where the samples are drawn. It can be thought as a pool where the samples are gotten. It is a statistical framework used in the questionnaire, marketing research, social research and different types of studies. This frame is important to arrive findings, accurate, conclusion or unbiased because it defines the population which have been studied entirely. The population of the sampling is staff in the department of combating the

illegal immigration in Libya. So, the positions of our study population are as follows: Assistance Inspectors, Deputy Commissioners, Inspectors, Officers, Commissioners and other officials inside the mentioned department. We selected this type of population with these positions because they are people who deal with illegal immigrant inside Libya and they were very helpful for us to achieve the intensive research.

4.2.3. Sample Size

Is the act of selecting number of replicates or observations to consist in a statistical sample (Hair et al, 2019, p.3) mentioned that well-defined steps to get the suitable method of research should pass the following steps:

- Defining the target population
- As we mentioned earlier, the population of this study are the staff in Department of Combating Illegal Immigration in Libya
- Choosing the sampling frame:
 - The sampling frame of this study is the illegal immigration and illegal immigrants.
- Selecting the sampling method:
 - The current study used convincing sampling method where we asked the respondents to introduce other respondents by sending the questionnaire link by using different media to other respondents who work in the same department.
- Determining the sample size
 - Due to the time and budget limitation Cochran (2007) formula for infinite population has been selected to calculate the sample size of the current study.

$$n_0 = \frac{Z^2 * p * (1 - p)}{e^2}$$

Where

N_0 : represents the desired sample size if the target population is greater than 10,000

Z: represents the normal variable with $1-\alpha$ confidence level which is extracted from associated table and in confidence level 0.95 is equal to 1.96.

p: population proportion=0.05

e: the acceptable sampling error=5%

$$n = \frac{(1.96)^2(0.25)}{(0.05)^2} = 384$$

So, the optimal sample size will be equal to 384

1. The implementation of the sampling plan

Implementing the sampling plan is implemented after completing the sampling design by defining the target population, selecting the sampling frame, choosing the sampling method and determines the sampling size.

4.3. Method of Data Collection

4.3.1. Data Collection

Data collection is the process of collecting and measuring information on variable of interest in established systematic fashion which allow to answer stated research questions and evaluate the study goals. (Knatterud et al 1998, p.41). Instrument is used to gather information to be used in the performance assessment, self-evaluation and external evaluation. For example, email, phone, web-based questionnaire, direct or participatory observation, interviews, content analysis of internal and external records. The data collection tools must be strong enough to support the study results. Our study relied on the primary and secondary data. The primary data of this study has been collected by the use of questionnaire and interviews guided methods that published online by using Google Form, published

for more than a month and distributed on the study sample. Also, we used interviews to attract and ten interviewees were participated and they are also from the staff of Department of Combating Illegal Immigration. The secondary data were gathered by the use of many written literatures.

4.3.1.1. Primary Source of Data

The primary data of the study has been collected by a questionnaire and it is drawn to the selected participants and interviews were conducted to some respondents in the top level of management. This has been implemented because the top management staff have not time to fill out the questionnaire according to the nature of their responsibilities compared with operational staff.

4.3.1.2. Secondary Source of Data

The process of collecting the secondary data, the documentary review technique has been used including immigration act and provisions, immigration, regulations, books, workshops and seminars, internet sources in addition to monthly and annual reports. The secondary data has been used because the selected participants could not produce enough information under the study.

4.4. Research Hypotheses

Based on the goals of the study, the following hypotheses have been analyzed:

- **H₁₋₁**: There is significant mandate given to the Department of Combating Illegal Immigration in dealing with illegal immigrants.
- **H₁₋₂**: There is not significant mandate given to the Department of Combating Illegal Immigration in dealing with illegal immigrants.
- **H₂₋₁**: The immigration law has high weight to combat the illegal immigrants.
- **H₂₋₂**: The immigration law has not high weight to combat the illegal immigrants.

- **H_{3.1}:** Department of Combating Illegal Immigration has sufficient fund in dealing with illegal immigrants
- **H_{3.1}:** Department of Combating Illegal Immigration has not sufficient fund in dealing with illegal immigrants

4.5. Measurement Instruments

As we mentioned above, this study is mixed between the quantitative and qualitative approach. The data collection methods are based on both questionnaire and interviews. The questionnaire of the study includes many sections including the demographic information of the study sample. Also, the interviews include many questions associate with the study goals. The questionnaire and interviews are based on Hassan (2014, p.29). However, some of the questions have been modified to fit the Libyan environment and achieve the research goals.

4.6. Questionnaire Questions

The questionnaire of our study includes many sections where each section includes many questions and it is shown in APPENDIX.

4.7. Interview Questions

The interview of our study includes ten questions and these questions can be summarized as follows:

- Have you ever been working at any entry point?
- Have you ever arrest any illegal immigrant?
- Which action did you take at the moment?
- Can you explain to me which procedure do Department of Combating Illegal Immigration use to make sure that illegal immigrant sent back home?
- Have you satisfied with the current immigration law in terms of fighting with illegal immigrant?

- Do you think the current law is sufficient to alleviate this problem?
- Department of Combating Illegal Immigration has sufficient resources to fight against illegal immigrant?
- How do you find it difficult to finish the problem?
- What should be done?
- What is your opinion concerning the problem?

4.8. Data Analyses and Presentation

Data analysis is a practice where the raw data is organized where useful information can be extracted. Organizing and thinking process of data is to understand what the data is included and what is not included. Data analysis process starts after completing the data collection and then the data is organized and ordered in target way where they can be analyzed easily. Then, the data is summarized and rewritten clearly to be interpreted easily. The practical data of this study has been analyzed by the use of the Statistical Package of Social Science (SPSS). Many statistical methods were used to analyze the research questions and achieve the study goals. The qualitative data has been analyzed by the use of content analysis, summarizing the key finding regarding variables. The presentation of qualitative data follows the research goals.

At this chapter, we will present the study results obtained from the questionnaire and interviews of the study. As we mentioned earlier, the study dependence on questionnaire and interviews to collect the field data. They are employed to collect the primary data while the theoretical data has been used to collect the secondary data of the study. This chapter covers the presentation, discussion and analysis of the study results based on the research goals.

The study was exploratory in nature mixing both quantitative and qualitative research methods to evaluate the illegal immigration and the case of Libyan-European relationships. Both questionnaires and interviews were employed as tools of data collection. Participants were selected from among the staff of the Department

of Combating Illegal Immigration (DCII). A total of 414 participants selected randomly took part to take part in the filling the questionnaire including interviewing ten staff members working at the management level to provide clearer and better insights on the subject.

4.9. Demographic Information

This part of our study aims to describe the demographic information of the study sample and all of them are employees work in Department of Combating the Illegal Immigration in Libya. The demographic information of our study includes gender, age category, educational level, marital status and work experience.

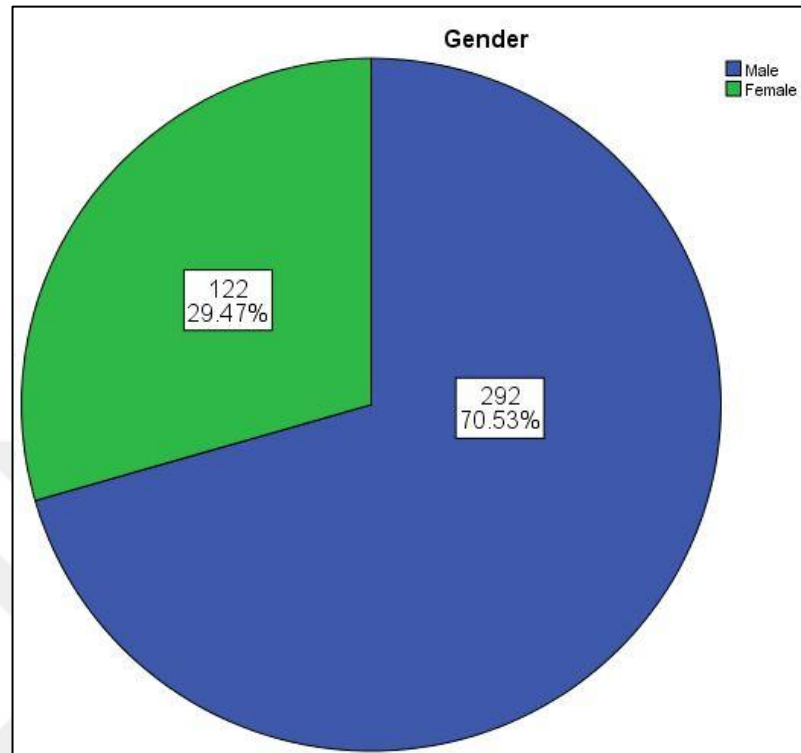
Table 4.1 shows the gender of the study participants. It is shown that 292 of the study participants which is equivalent to 70.5% of the study participants are male and 112 of the study participants which is equivalent to 29.5% of them are female. This result clarifies that the department of combating illegal immigration in Libya includes both male and female with highest percentage of them are males and the rest are females.

Table 4.1. The Gender of Immigration Staff

Gender	Frequency	Percentage
Male	292	70.5%
Female	112	29.5%

The result of the study may ask why the greatest percentage of the study participants is male or why the greatest percentages of the people who work in Department of Combating the Illegal Immigration in Libya are male. This is due to the truth that the culture of Libya where men usually are the head of the family.

Figure 4.2. The Gender of Immigration Staff.



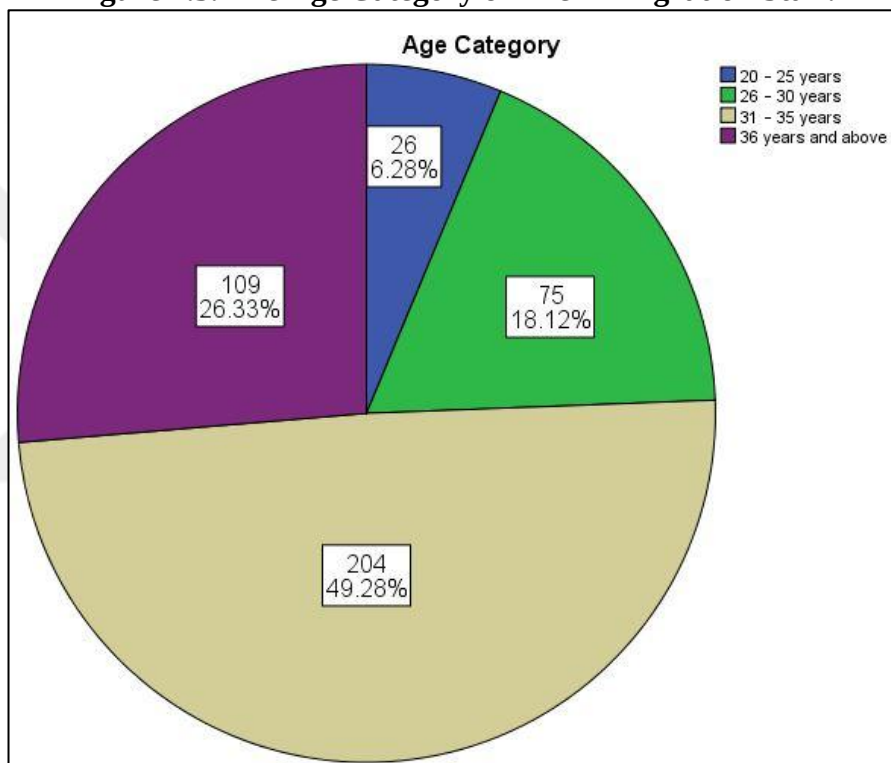
It is important to take into consideration the gender factor when conducting surveys in order to capture the specific realities of the perceptions of men and women in the department regarding illegal immigrants. using gender as a variable in demographics is a key in understanding the attitudes of females since they are expected to be less traditional than males. Hence, in this study, I take note of the gender disparity in my questionnaires and interviews to highlight the results of both male and female participants and analyze the pattern of their response.

Table 4.2. The Age Category of The Immigration Staff

Age category	Frequency	Percentage
20 – 25 years	26	6.3%
26 – 30 years	75	18.1%
31 – 35 years	204	49.3%
36 years and above	109	26.3%

Table 4.2 shows the age category of the study participants and it is shown that we have 204 of our study participants which equivalent to (49.3%) are within the age category 31-35. On the other hand, 109 of the study participants which equivalent to 26.3% are within the age category 36 years and above, 75 of the study participants which equivalent to (18.1%) are within the age category 26-30 years and 26 of the study participants which equivalent to 6.3% are within the age category 20-25 years.

Figure 4.3. The Age Category of The Immigration Staff.

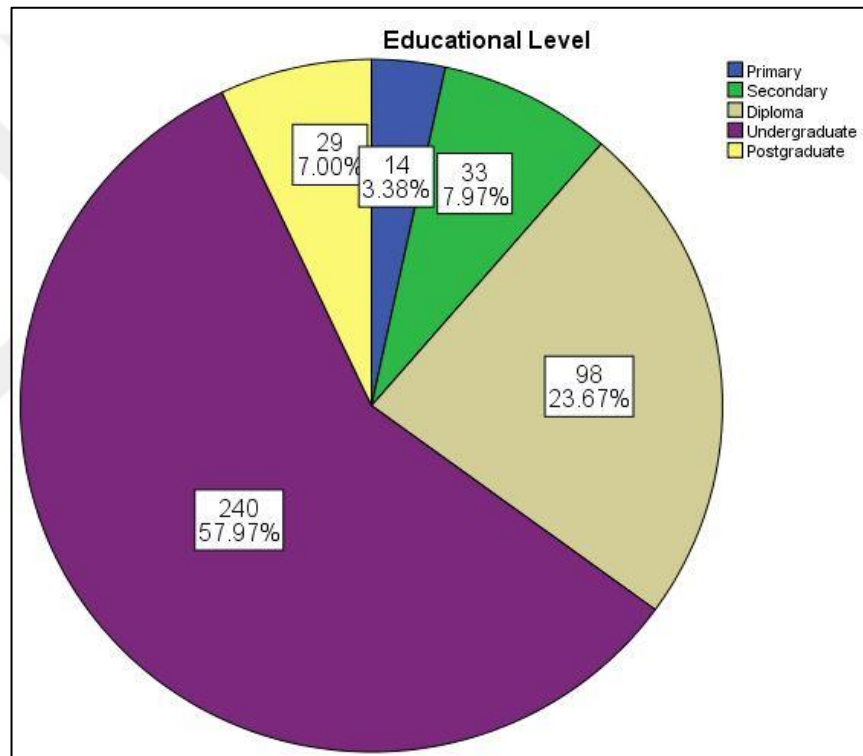


The age of respondents is an important demographic factor in surveys. According to Andrews and Herzog (1986, p.19), increase in respondent age increases the chances of decline in the true score variance in survey measures, while their views about their world become more interrelated or less differentiated.

Table 4.3. The Educational Level of The Immigration Staff

Educational level	Frequency	Percentage
Primary	14	3.4%
Secondary	33	8%
Diploma	98	23.7%
Undergraduate	240	58%
Postgraduate	29	7%

Figure 4.4. The Educational Level of The Immigration Staff



Another demographic factor taken into consideration is the level of education of the participants in the survey. When the participants of our study were asked to indicate their educational level, it is shown in Table 4.3 that the highest percentage of them have undergraduate degree and their number is 240 which equivalent to (58%), followed by the people who have Diploma degree and their number is 98 participants which equivalent to (23.7%), followed by the participants with secondary school

degree and their number is 33 which equivalent to (8%) and the least number of participants are with primary school degree and their number is 14 which equivalent to (3.4%). The level of one's education is significant in defining his/her role in life as a person. Through education, a person is exposed to a society where they are able to make decisions on their own and think for themselves. Education is a key social background variable taken into consideration by all surveys as well as employed in many statistical analyses.

Table 4.4. The Marital Status of The Immigration Staff

Marital Status	Frequency	Percentage
Single	42	10.1%
Married	339	81.9%
Widow	10	2.4%
Divorced	23	5.6%

In terms of the marital status, we can see in Table 4.4 that the largest number of the study participants are married and their number is 339 which equivalents to (81.9%). Followed by the participants who are single and their number is 42 which equivalents to (10.1%). On the other hand, we can see that the number of participants who are divorced is 23 participants which is equivalent to (5.6%) followed by the participants who are widow and their number is 10 which is equivalent to (2.4%).

Figure 4.5. The Martial Status of The Immigration Staff

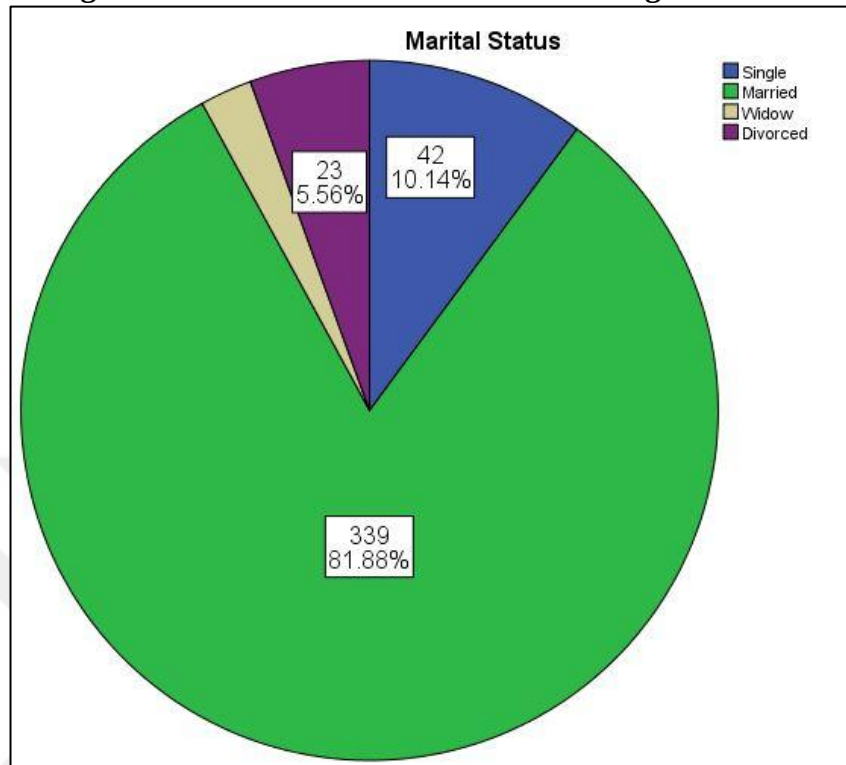


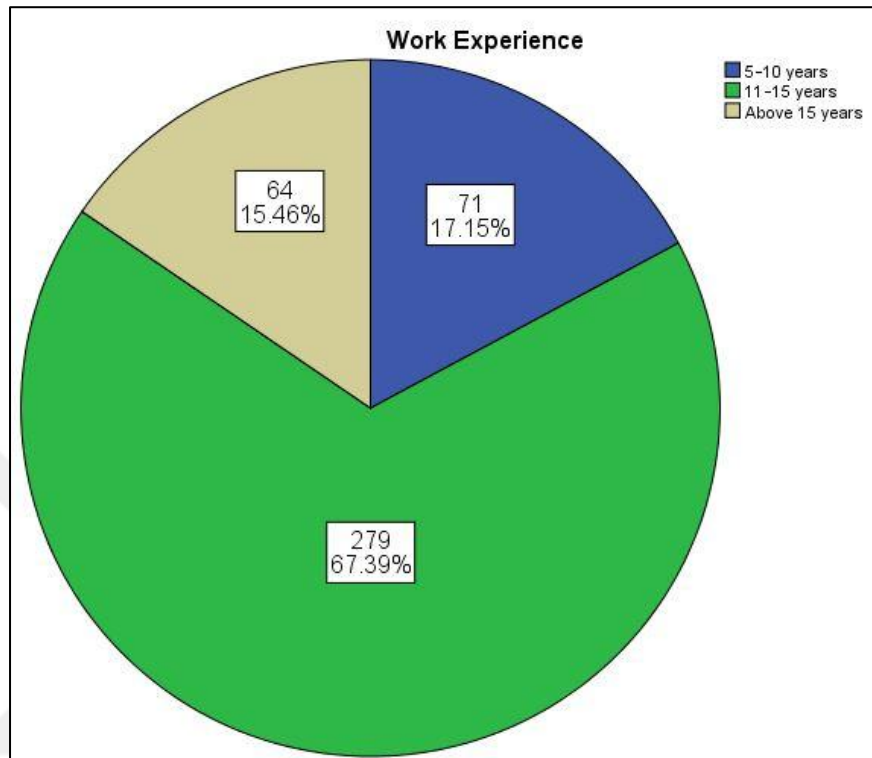
Table 4.5. The work Experience of The Immigration Staff

Work Experience	Frequency	Percentage
5–10 years	71	17.1%
11–15 years	279	67.4%
Above 15 years	64	15.5%

The samples of our study were asked to indicate their work experience in the department of combating the illegal immigration in Libya. As shown in Table 4.5, the largest participants of them have work experience between 11-15 years and their number is 279 participants which is equivalent to 67.4% followed by the participants with work experience between 5-10 years and their number is 71 which is equivalent to 17.1%. Also, the number of participants with work experience between 5-10 years are 71 participants with percentage of (17.1%). indicating that most of the staff have experience of more than five years of working with immigrants. In other words, most

of the staff are well-trained and versed on dealing with illegal immigrants and are able to provide insights that will enrich the study.

Figure 4.6. The work Experience of The Immigration Staff



4.10. Descriptive Information

- **How much your knowledge about illegal immigrants?**

Table 4.6 clarifies the distribution of knowledge by the study participants where we can see that there are 71 participants of our study which equivalent to (17.1%) are with moderate knowledge, 198 participants of our study which equivalent to 47.8% are with little knowledge and 129 participants of our study and their percentage is (31.2%) are with very little knowledge. In general, this result indicates that many of the study participants have well knowledge about illegal immigrants and this refers that they can work efficiently to solve the problem of illegal immigration in Libya.

Table 4.6. Distribution of The Participant Knowledge about Illegal Immigrants

Knowledge about illegal immigrants	Frequency	Percentage
Very little	129	31.2%
Little knowledge	198	47.8%
Moderate	71	17.1%
Very much	16	3.9%

On the other side, when we interviewed tens of the staff of department of combating the illegal immigration on whether they have the knowledge on illegal immigrants, they stated that: “yes, they have where they worked in borders and specially at Subratha Department and most of them spent many years in this job”. This is an indication that most of the staff at the department are well acquainted with how to deal with illegal immigrants.

Also, we interviewed to clarify whether they have arrested any illegal immigrants, in which they overwhelmingly answered in the affirmative. “yes”, some of them clarified that they have arrested many people in various times and especially from the side of Malta. The experience of these staff is hence not only limited to office work, but also actively engaged in the field to deal with the immigrants.

To get clear insights we interviewed and asked to clarify what actions they took at the moment of arresting illegal immigrants and they answered that:

One of them mentioned that he was really surprised and the immigrant asked him for a lawyer. Other stated that he has arrested illegal immigrants and listed their information in documents. Other stated that he did nothing where he was just doing his job. Others mentioned that they have arrested immigrants and took their information to be registered with Libyan authorities. Their responses exposed the various challenges the immigration officials encounter during their interaction with the immigrants. It also demonstrates the need for concerted efforts by international organizations to provide immigrants with basic rights which include their right to legal representation.

- **How much do you think illegal immigrant brings negative effect to your country?**

The perceptions of the department staff on the impact of the illegal immigrants to the country was also asked. When the participants were asked to clarify the negative or positive effect of illegal immigrants, we can see in Table 4.7 those 170 participants and their percentage is (41.1%) clarify that illegal immigrants have great negative effect on the country followed by the participants who indicated that they do not bring any negative effect and their number is 130 participants with percentage of (31.4%).

Table 4.7. Distribution on how Illegal Immigrants have Negative Effect

The negative effect of illegal immigrants	Frequency	Percentage (%)
Does not bring any negative effect	130	31.4%
They greatly affect our country	170	41.1%
Somehow brings negative effect	84	20.3%
They bring both negative and positive effect	24	5.8%
I do not know	6	1.4%

Also, we have 84 participants and their percentage is (20.3%) showed that the illegal immigrants bring somehow negative effect of the country. In addition, 24 participants of our study which equivalent to (5.8%) stated that they bring both negative and positive effect and finally, 6 of our study participants which equivalent to (1.4%) mentioned that they do not know which exactly illegal immigrants may bring to the country. In other words, over 60 percent believe illegal immigrants have impacted negatively on the country. This is quite a significant number amid the rise of anti-immigrant rhetoric especially in the developed world due to deteriorating economic conditions and the rise of the far-right groups in many parts of the Western world.

- **Do you think officers of the Department of Combating Illegal Immigration are the right person to deal with illegal immigrant?**

The participants were asked to clarify whether the officers in the department of combating illegal immigrants are the right persons to deal with illegal immigrants and we can see in Table 4.8 that 219 participants of our study which equivalent to (52.9%) said that the officers are right persons followed by 167 participants with percentage of (40.3%) who mentioned that they are not right persons to deal with this issue. On the other hand, 28 participants of our study which equivalent to (6.8%) mentioned that they do not know if the officers in the Department of Combating Illegal Immigration are the right person or not to deal with illegal immigrant.

Table 4.8. The Officers of The Department of Illegal Immigrants

Officers in the departments of combating illegal immigration	Frequency	Percentage (%)
Yes	219	52.9%
No	167	40.3%
I do not know	28	6.8%

The responses to this question were so tight with just over a half of the staff believing that they are the right individuals to deal with the illegal immigrants. This raises concern that the staff might not be motivated to help illegal immigrants as they believe not to be the right people to do that. This will likely translate to poor service provision to illegal immigrants particularly the vulnerable among them.

- **In your opinion which department has been given full mandate to deal with illegal immigrants?**

The question in Table 4.9 intended to examine the department which have been given full mandate to deal with illegal immigrants and we can see that 202 of our study participants which equivalent to (48.8%) mentioned that the police department was given the full mandate to deal with this issue, 150 participants and their percentage is (38.4%) mentioned that the immigration department was given the full mandate based on the point of view of our study participants. In contrast, 35 of

the study participants which equivalent to (8.5%) stated that Tourist police was given the full mandate to deal with illegal immigrants and 18 of the study participants which equivalent to (4.3%) mentioned that the Department of Combating Illegal Immigration is given the full mandate to deal with illegal immigrants. This is another perplexing result considering that officials at the Department of Combating Illegal Immigration who are the ones we interviewed only accounted for 4.3% of the departments thought to be responsible with illegal immigrants. Such a low percent again raises concerns about the motivation and preparedness of the department staff to deal with the illegal immigrants.

Table 4.9. The Mandate of Department to deal with Illegal Immigrants

Department responsible to deal with illegal immigrants	Frequency	Percentage (%)
Immigration Department	150	38.4%
Police Department	202	48.8%
Tourist police	35	8.5%
Department of Combating Illegal Immigration	18	4.3%

By interviewing the participants to explain which procedure do department of combating illegal immigration use to make sure that illegal immigrants sent back home, they answered that:

One of them mentioned that we give information to IOM organization firstly. The other stated that they make list of immigrants to send them to the airport to be deported to their home country. Some of the interviewed participants stated that they make files to list these immigrants based on their nationality.

- **Is there any need for other Departments to work together with Department of Combating Illegal Immigration in dealing with illegal immigrant?**

Table 4.10 clarifies if there is a need to other departments to deal with illegal immigrants and we can see that 243 of the study participants and their percentage is (58.7%) mentioned that there is a need for other departments to deal with illegal

immigrants and 148 of them with percentage of (35.7%) clarified that there is no need for other departments. The fact that a significant number of people see that the

need for cooperation with other departments indicates the risks faced by a significant number of illegal immigrants of not being served accordingly as a result of poor coordination between departments engaged in dealing with illegal departments.

Table 4.10. The Need to other Departments to deal with Illegal Immigrants

The need to other departments to deal with illegal immigrants	Frequency	Percentage (%)
Yes	243	58.7%
No	148	35.7%
I do not know	23	5.6%

- **How much does Department of Combating Illegal Immigration cooperate with other law enforcement agents in combating illegal immigrants?**

In terms of cooperation between department of combating illegal immigrants with other law enforcement agents, we can see in Table 4.11 that 232 of the study participants which equivalent to (56%) showed that there is a very little cooperation followed by 148 of them which equivalent to (35.7%) who mentioned that there is a little cooperation. Also, 28 participants which equivalent to (6.8%) stated that there is a moderate cooperation and 6 of the study participants which equivalent to (1.4%) stated that there is very much cooperation between combating illegal immigration with other law enforcement agents according to the point of view of the study participants. Hence, perceptions of disinterest among respondents in the need for inter-departmental cooperation closely match those rejecting the need for other departments to deal with illegal immigrants. Once again, the responses show the

vulnerability of illegal migrants as they face the risk of not being protected by the relevant institution.

Table 4.11. The Amount of Cooperation between Department of Combating Illegal Immigration with other Law Enforcement Agents

The cooperation between combating illegal immigration with other law enforcement agents	Frequency	Percentage (%)
Very little	232	56%
Little	148	35.7%
Moderate	28	6.8%
Very much	6	1.4%

When we interviewed the participants in terms of their satisfaction with the current immigration law in terms of fighting with illegal immigrants, all of them stated they are satisfied with the current immigration law.

- **Are there any strategies which have been planned in cooperation with those law enforcement agents?**

The participants were asked to clarify whether there are strategies between department of combating illegal immigrants with law enforcement agents, we can see in Table 5.12 that 246 of the participants which equivalent to (59.4%) mentioned that there are strategies followed by 126 with percentage of (30.4%) who clarified that there are not strategies to cooperate with law enforcement agents. In addition, 42 of the study participants which equivalent to (10.1%) of the study participants who do not know if there are strategies to cooperate with law enforcement agents.

This result is incoherent with the satisfaction displayed by most participants to the interview towards the immigration law.

Table 4.12. Strategies to Cooperate with Law Enforcement Agents

Strategies to cooperate with law enforcement agents	Frequency	Percentage (%)
Yes	246	59.4%
No	126	30.4%
I do not know	42	10.1%

- **How many times per year does Department of Combating Illegal Immigration meet with those agents?**

Table 4.13 shows that 155 of the study participants which equivalent to (37.4%) mentioned that the meetings are conducted once a year followed by 136 with percentage of (33.1%) who stated that the cooperation is twice a year and 92 of the study participants which equivalent to (22.2%) mentioned that the meetings are done if there is a need. On the other hand, 30 participants of our study which equivalent to (7.2%) stated that they do not know anything about these meetings.

The results indicate the rareness of these meetings which is inconsistent with the high number of illegal immigrants in the country and the need for inter-departmental coordination to deal with them.

Table 4.13. The Average of meetings between Department of Combating Illegal Immigration with other Agents

The average of meetings between department of combating illegal immigration with other agents	Frequency	Percentage (%)
Once a year	155	37.4%
Twice a year	137	33.1%
If there is a need	92	22.2%
I do not know	30	7.2%

- **How success of their strategies?**

In terms of the success of strategies implemented by the department of combating illegal immigrants, we can see in Table 4.14 that 191 which equivalent to (46.1%) of our study participants mentioned that the success of the strategies is low, 115 with percentage of (27.8%) of the participants clarified that there is no success

for those strategies and only 96 which equivalent to (23.2%) of the study participants clarified that there is a moderate success to the applied strategies. In contrast, 12 participants of our study which equivalent to (2.9%) stated that they are high successful strategies. The results hence show less than half of the staff consider the strategies to be unsuccessful which is somehow consistent with the number of those who see no need for inter-departmental cooperation which was 35.7% as seen earlier in Table 4.10.

Table 4.14. The Success of Strategies of Department of Combating Illegal Immigrants

The success of strategies	Frequency	Percentage (%)
No success	115	27.8%
Low success	191	46.1%
Moderate	96	23.2%
High success	12	2.9%

- **How do you find immigration law?**

The participants were asked to evaluate the effectivity of the immigration law and we can see in Table 4.15 that 177 of the study participants which equivalent to (42.8%) clarified that the immigration law needs amendments, 122 of them with percentage of (27.1%) showed that it is out of date and 108 of the study participants with percentage of (26.1%) stated that it does not fit for illegal crimes. On the other hand, 17 of the study participants (4.1%) of them stated that the immigration law is adequate for illegal crimes. The result is in complete contrast with those interviewees who expressed satisfaction with the immigration law. When the participants were interviewed in terms of the sufficiency of the current law to alleviate this problem, most of the interviewed stated that yes they think that the law is sufficient to mitigate this problem.

Table 4.15. The Immigration Law

The immigration law	Frequency	Percentage (%)
Out of date	112	27.1%
It needs some amendment	177	42.8%
It does not fit for illegal crimes	108	26.1%
It adequate for illegal crimes	17	4.1%

- **Do you think Department of Combating Illegal Immigration has enough resources to deal with illegal immigrant?**

The participants were asked to clarify the number of resources available for the department of combating the illegal immigrants and we can see in Table 4.16 that 271 of the study participants which equivalent to (65.5%) stated that the number of resources are enough and 130 of them with percentage of (31.4%) stated that the resources are not enough. Moreover, 13 participants of our study with percentage of (3.1%) stated that they do not know.

Table 4.16. The Number of Resources of Department of Combating Illegal Immigrants

Resources of department of combating illegal immigrants	Frequency	Percentage (%)
Yes	271	65.5%
No	130	31.4%
I do not know	13	3.1%

On the other side, when we implemented interviews with ten of the staff in department of combating illegal immigrants about the sufficiency of resources, the interviewed stated that the financial resources of departments are very weak and the department still needs many requirements including cars and translators. Hence, it is not clear whether the interviewees were exaggerating about the insufficiency of resources. However, the general responses show overwhelming agreement for the need of increasing resources for the department as well as improving facilities in

order to enhance proper ways of dealing with the illegal immigrants and to ensure the well-being of the staff is not compromised.

- **How would you rate the economic condition of the Department of Combating Illegal Immigration in terms of dealing with illegal immigrant?**

According to Table 4.17, the economic condition of the department of combating the illegal immigrants are very poor according to the point of view of 206 of the study participants which equivalent to (49.8%) and 194 of the study participants with percentage of (46.9%) mentioned that the economic condition is about average. However, 14 of the study participants which equivalent to (3.4%) mentioned that the economic condition is very high. The economic condition assessment consisted of salaries of the staff, their allowances, health insurances and other social benefits, office facilities provided to the staff, and insufficient funding and budget to support illegal immigrants. With close to a half of the participants considering the economic condition to be very poor, the result is alarming to human rights organizations and other relevant organizations on the repercussions of this to vulnerable illegal immigrants as well as the general well-being of the staff at the department.

Table 4.17. The Economic Condition of Department of Combating Illegal Immigration

The economic condition of department of combating illegal immigration	Frequency	Percentage (%)
Very poor	206	49.8%
About average	194	46.9
Very high	14	3.4%

In addition, ten of the department staff were interviewed in order to investigate how they find difficulty to finish the illegal immigrant problem and the interviewed stated that it may take more time and efforts to finish this problem. Others stated that the department should allow some transactions to be done for migration and documentation issue. One of the interviewed stated that it is necessary

to conduct some conferences to eliminate the risk of illegal immigrants in the future. This reflects the general agreement among the department staff on the need for improving the current strategies of dealing with illegal migrants.

- **The financial fund department given by the Government is enough to finish the problem of illegal immigrant in Libya**

In order to investigate whether the financial fund granted by the Libyan government to deal with illegal immigrants are enough, we can see in Table 4.18 that 143 of the study participants which equivalent to (34.5%) did not decide, 127 of them which equivalent to (30.7%) are strongly agree that the financial fund granted by the government to deal with illegal immigrants are enough. Also, 114 of the study participants which equivalent to (27.5%) mentioned that they agree that the financial fund granted by the government to deal with illegal immigration problem are enough, 16 of them (3.9%) disagree and 14 of the study participants with percentage of (3.4%) strongly disagree.

The results here demonstrate conflict with the earlier statistics that showed close to a half of the survey participants describing the economic condition as very poor. It is possible that participants were cautious not to blame their government either for fear of being penalized or for patriotic reasons.

Nonetheless, the results show hint of poor funding as only less than a third of the participants confidently considered the funding to be enough.

Table 4.18. The Financial Fund Granted by The Government to deal with Illegal Immigration Problem

The financial fund granted by the government to deal with illegal immigration problem	Frequency	Percentage (%)
Strongly agree	127	30.7%
Agree	114	27.5%
Undecided	143	34.5%
Disagree	16	3.9%
Strongly disagree	14	3.4%

- **Some of the problems hinder the efforts of the Department of Combating Illegal Immigration to finish the problem of illegal immigrants.**

When the participants were asked to clarify the problems which hinder the efforts of the department of combating illegal immigrants, we can see in Table 4.19 that 184 of the study participants which equivalent to (44.4%) mentioned that the problem is the financial resource, 172 of them with percentage of (41.5%) showed that the problem is the human resource problem and 45 of the study participants which equivalent to (10.9%) mentioned that the problem is the lack of local people cooperation. On the other hand, 13 of the study participants with percentage of (3.1%) stated that the corruption is the problem which hinder the efforts of the department of combating illegal immigration.

These figures are a proof that insufficient financial resources are indeed a significant challenge facing the department staff. The EU and other international organizations should hence be willing to provide more funds to the department to facilitate better service provision to illegal immigrants. Notwithstanding the problem related with the lack of enough human resources. This shows the need for non-monetary support as well as such as capacity-building and other forms of training. This will not be difficult to achieve considering that most of the participants have high levels of education and can easily be trained and equipped with necessary facilities to enhance their productivity and effective service provision.

Table 4.19. Problems hinder the Efforts of The Department of Combating Illegal Immigration

Problems hinder the efforts of the department of combating illegal immigration	Frequency	Percentage (%)
Human resource	172	41.5%
Financial resource	184	44.4%
Lack of local people's cooperation	45	10.9%
Corruption	13	3.1%

- **Do you think Department of Combating Illegal Immigration use the right way fighting with illegal immigrant?**

In terms of whether the department of combating illegal immigrants use the right way to deal with illegal immigrants, we can see in Table 4.20 that 140 of the study participants with percentage of (33.8%) mentioned that the department uses the right way and 134 of them which equivalent to (32.4%) mentioned that the office strongly uses the right way. 72 of the study participants which equivalent to (17.4%) do not know, 35 of them with percentage of (8.5%) mentioned that the department of combating illegal immigrants use the wrong way to deal with illegal immigrants and 33 of them with percentage of (8%) stated that the department is strongly used the wrong way.

In other words, over 66% of participants believe the department is dealing correctly with the illegal immigrants. In determining this, however, we should take note that the interviewed participants work at the department; hence, blaming the department will also entail blaming themselves. This could explain the high number of those agreeing that the department is dealing with illegal immigrants in the right way.

Table 4.20. The Way to Fight Illegal Immigrants by The Department of Combating Illegal Immigrant

The way to fight illegal immigrants by the department of combating illegal immigrant	Frequency	Percentage (%)
It strongly uses the right way	134	32.4%
It uses the right way	140	33.8%
I do not know	72	17.4%
It uses the wrong way	35	8.5%
It strongly uses the wrong way	33	8%

- **Is there Libyan-European cooperation in order to reduce the flow of illegal immigrants from Libya towards Europe?**

In terms of the Libyan and European cooperation to reduce the illegal immigration towards Europe, we can see in Table 4.12 that 251 of the study participants which equivalent to (60.6%) mentioned that there is cooperation between

Libya and Europe to reduce the illegal immigration and 142 of them with percentage of (34.3%) clarified that there is no cooperation between Libya and Europe to deal with illegal immigrants. In contrast, 21 of the study participants which equivalent to (5.1%) stated that they do not whether there is Libyan-European cooperation to reduce the illegal immigration towards Europe.

It can be seen that majority of the participants agree that there is cooperation between Libya and Europe in dealing with illegal immigrants. While this is encouraging, it was not clear in what areas exactly the two sides cooperate and the kind of support Europe provides to Libya.

Another important point is also related to whether Europe is keen to go beyond reducing immigrants flow to Europe to weigh the possibility of reducing the burden of immigrants on Libya.

Table 4.21. The Libyan-European Cooperation to Reduce the Illegal Immigration towards Europe

The Libyan-European cooperation to reduce the illegal immigration towards Europe	Frequency	Percentage (%)
Yes	251	60.6%
No	142	34.3%
I do not know	21	5.1%

- **Is there cooperation in the field of analyzing work methods to enhance Libya's ability to prevent illegal immigrant flows, especially from its southern borders?**

The participants were asked to clarify the cooperation in the field of analyzing the work methods to enhance the ability of Libya to prevent illegal immigrants and we can see in Table 4.22 that 211 of the study participants with percentage of (51%) mentioned that there is a cooperation in the field of analyzing the work methods to enhance the Libyan ability to prevent the flows of illegal immigrants particularly from the southern borders. In addition, 150 of the study participants with percentage of (36.2%) stated that no cooperation and 53 of them with percentage of (12.8%) mentioned that they do not know. However, it is not clear

whether there is support from Europe to help Libya in this area. This is because enhancing Libya's ability to prevent illegal immigrants from crossing is considered crucial in reducing the flow of illegal immigrants to Europe.

Table 4.22. The Cooperating to Enhance The Libyan ability to Prevent Illegal Immigrants from Southern Borders

The cooperation to enhance the Libyan ability to prevent illegal immigrants from southern borders	Frequency	Percentage (%)
Yes	211	51%
No	150	36.2%
I do not know	53	12.8%

- **Is there great cooperation between Libya and the European countries to monitor the borders and prevent the attempts of illegal immigrants from violating the Libyan borders towards Europe?**

In terms of the cooperation between Libya and European countries to monitor the borders and prevent the attempts of illegal immigrants from violating the Libyan borders towards Europe, we can see in Table 4.23 that 185 of the study participants which equivalent to (44.7%) stated that there is a cooperation in this issue and 164 with percentage of (39.6%) of them stated that there is no a cooperation. However, 65 of the study participants with percentage of (15.7%) said that they do not know.

These results indicate the existence of some form of cooperation between Europe and Libya on the northern borders to prevent the flow of illegal immigrants to European shores. It also highlights the negligence of cooperation in Libya's southern borders through which illegal immigrants from sub-Saharan Africa enter the North African country to finally cross to Europe.

Table 4.23. The Cooperation between Libya and Europe to prevent the Illegal Immigrants

The cooperation between Libya and Europe to prevent the illegal immigrants	Frequency	Percentage (%)
Yes	164	39.6%
No	185	44.7%
I do not know	65	15.7%

- **Are there dedicated channels aimed at sending early warnings and data between Libya and the European countries?**

Table 4.24 clarifies if there are channels between Libya and European countries and we can see that 201 of the study participants which equivalent to (48.6%) stated that there are no channels between Libya and the European countries and 156 with percentage of (37.7%) of them mentioned that there are channels between Libya and the European countries. On the other hand, 57 of the study participants with percentage of (13.8%) stated that they do not know. Close to a half of the participants said there no channels between the two sides which raises questions on European countries' commitment to support Libya in reducing the flow of illegal migrants across Europe. This is very puzzling considering that Europe is the party most concerned about immigrants from Africa entering Europe yet providing very little support towards achieving this goal and leaving transit countries like Libya handle the burden alone.

Table 4.24. The Channels between Libya and European Countries

The channels between Libya and European countries	Frequency	Percentage (%)
Yes	156	37.7%
No	201	48.6%
I do not know	57	13.8%

- **Is there support from the European countries to support and develop the capabilities of Libyan patrols, search and rescue in its territorial waters and on the high seas?**

The participants were asked to answer if there is support from European countries to develop the Libyan patrols across borders, we can see in Table 4.25 that we have 199 which equivalent to (48.1%) of the study participants who mentioned that there is no support and 153 with percentage of (37%) stated that there is support from the European countries to develop the Libyan patrols across borders. However, 62 of the study participants which equivalent to (15%) stated that they do not know about the availability of this support. Again, the participants feedback on whether Europe support Libya in developing its patrol and rescue capabilities shows only 37% answering in the affirmative which is a low number. This is inconsistent with not only Europe's concern of the influx of illegal immigrants from its southern flank, but also its lack of commitment on saving the lives of these vulnerable people who make these perilous journeys in search of a safer world.

Taking into consideration that the Mediterranean Sea is the most dangerous migration route (International Rescue Committee, 2020), Libya deserves more support from Europe in different capacities to better patrol borders and ensure the safety of the desperate immigrants.

Table 4.25. Support from European Countries to develop the Libyan Patrols across Borders

Support from European countries to develop the Libyan patrols across borders	Frequency	Percentage (%)
Yes	153	37%
No	199	48.1%
I do not know	62	15%

The participants were interviewed to clarify what should be done to eliminate this issue and we can see that some of them stated that it is necessary to take the emergency and aid for immigrants and try to send them back to their home country. Also, one of the interviewed stated that it is necessary to make investigation with them to know why they move illegally and it may be necessary to provide protection

for them especially to people who need such protection. Also, some stated that it is necessary to speak with their governments in order to facilitate their life after return to their home country.

By asking the interviewed about their opinions on the concerning problem of illegal immigrants, they stated that illegal immigration is considered a big problem and countries should have fast transactions to control illegal immigration. Others stated that illegal immigrants must go back to their home country. Also, one of the interviewed stated that the Libyan government must be supported to control the illegal immigration from the surrounding countries. One of the interviewed mentioned that illegal immigrants are considered a dangerous and big problem and the government must pay attention of that. Also, one interviewed stated that Mediterranean countries should make migrants union to cut such kind of illegal immigration.

Hence, while some place the responsibility on the immigrants' countries of origin and ask for their repatriation, others call for support and aid to be extended to Libyan authorities to deal with the immigrants. A significant amount of this support is definitely expected to be delivered to Europe. This is because the illegal immigrants do not intend to stay in Libya as their aim is to use the country as a transit on their way to Europe. In other words, Europe is more concerned about the illegal immigrants than is Libya and is thus ought to lend Libya a helping hand in dealing with this crisis to not only ease the burden on the Libyan authorities, but also to ensure the safety and rights of the illegal immigrants in the North African country.

4.11. Discussion

The problem of illegal immigration is considered a global problem and many countries suffer from this issue currently. Countries bordering Europe such as Turkey and North African countries are some of the most affected by the burden of illegal immigrants especially after the Arab Spring in 2011. This thesis aims to evaluate the illegal immigration and the case of Libyan-European relations. One of Europe's main

concerns over the past few decades has been to reduce the flow of illegal immigrants coming from the less-developed world to reach its borders.

Prior to reaching Europe, these immigrants make perilous journeys from their home countries to first reach transit countries that border Europe before eventually crossing to Europe. This has triggered interest among social scientists to try and understand the condition of illegal immigrants in these transit countries, their basic rights, and the policies the temporary host countries adopt towards the immigrants. Since these illegal immigrants are of grave concern to Europe, the continent's countries and the EU have developed special relations with transit countries such as Libya to cooperate in the prevention of the flow of the illegal immigrants across the sea to Europe, a move that has of course generated consequences for the transit country, target countries, and for the immigrants themselves.

In line with this, this research has attempted to examine, evaluate and access the challenges that face the immigration department of combating illegal immigrants. In order to achieve this issue, there was a need to look to the following goals:

- To examine the mandate given to the department of combating illegal immigration.
- To assess the weight of immigration law in combating the illegal immigrants.
- To analyze the economic conditions of the department of combating illegal immigrants.

In terms of the first goal, the aim was to understand the knowledge of illegal immigrants in addition to evaluate the extent of which illegal immigrants bring negative impacts and the study expected the contribution of other departments to deal with illegal immigrants. During the research, I found out that at least 58% of the staff at the department completed the undergraduate level of education while close to 24% of them had Diplomas. This indicates that the general level of education among the staff was high which means they have relative knowledge that will enable to be trained to deal with the illegal immigrants. This also means that staff at the department of combating illegal immigration are able to know the scope and mandate

of their work towards the illegal immigrants. However, the study found that close to 80% of the staff have very little or little knowledge about how to deal with illegal immigrants. This shows lack of capacity building efforts to train the staff on how to deal with illegal immigrants.

On the second objective, the aim was to recognize the strategies planned by the department in cooperation with law enforcement agents and also the success of those strategies and the adequacy of immigration law. Under the third objective, the aim was to evaluate the amount of immigration department resources, another expectation was to determine the problems which hinder the effort of immigration department to end the problem of illegal immigrants and finally to obtain the reason of increasing problems of illegal immigrants. The analysis of these goals and hypothesis can be summarized as follows:

The first goal is to investigate the mandate given to the department of combating illegal immigration in dealing with illegal immigrants and it represents the first hypothesis of this study. The study findings showed that the immigration department was not given the full mandate but this responsibility is given firstly to the police department and then to the immigration department. This indicates the lack of clear job description and mandate between the two departments which affects effective handling of the immigrant file. It also risks creating overlap of tasks among departments as well as the exchange of blame in case problems arise regarding the dealing with illegal immigrants. The study also shows that the immigration department staff acknowledges the need for inter-departmental cooperation. This indicates that there is either little cooperation between relevant departments, or no cooperation at all.

Indeed, when asked about the extent of cooperation between the department of combating illegal immigration with other law enforcement agents, at least 90% noted that there was very little or little cooperation. And although the participants agree that there exist strategies of cooperation with law enforcement departments, they also pointed that the meetings between the departments annually is twice maximum. Again, this shows that in effect there is no significant cooperation between these departments. This is a clear indication of the challenges the DCII faces

in dealing with illegal immigrants which range from insufficient capacity to lack of knowledge of mandate to lack of cooperation.

Also, the study noted that the participants generally viewed the illegal immigrants as negatively affecting Libya with at least 70% of the staff sharing that view. This is unprecedented from individuals who not only enjoy high levels of education, but also involved chiefly in dealing with vulnerable illegal immigrants. The result is an indication of not only the lack of mandate, but also the lack of the knowledge and training required of the department staff. Moreover, the existing strategies are largely seen by the staff as unsuccessful with at least 73% of participants agreeing that available strategies to deal with immigrants are not efficient. This, hence, raises concerns on the ability of DCII to deal with illegal immigrants.

This finding is further complicated by the fact only around 50% of the staff at the Department of Combating Illegal Immigration (DCII) are convinced that they are the right people tasked with dealing with combating with illegal immigrants. In other words, the remaining 50% either believe not to be the right people to deal with the the immigrants or do not really know. This fact challenges the effectiveness of this department to take charge with the task of combating illegal immigration. This is because they neither have the mandate nor believe they should have it.

On the second objective, the aim was to recognize the strategies planned by the department in cooperation with law enforcement agents and evaluate the weight of immigration law in combating the illegal immigration and this represents the second hypothesis of this study. The study showed that the largest sample of the study participants stated that the law needs some amendments and the second largest percentage of them mentioned that the law is out of date. According to the Libyan legislation, illegal immigration involves the “bringing in and out illegal migrants to and from the country by any means; Transporting and facilitating the movement of illegal migrants inside the country with knowledge of their illegal presence; Harboring, removing or concealing illegal migrants by any means from competent authorities, or withholding information to enable their stay or exit from the country; Preparing, providing or possessing fake travel papers or IDs for migrants;

Organizing, assisting or directing others to carry out any of the acts stated in the previous items” (International Center for Migration Policy Development, 2020).

When asked what they think about the immigration law, the majority of the participants (42.8%) said it needed amendments. Meanwhile, 27.1 % argued that it was not suitable to deal with illegal immigrants. However, the respondents have not backed their claims with reasons. As for those interviewed, they overwhelmingly said that the law was sufficient to mitigate the problem of illegal immigrants. Meanwhile, some participants, (27.1%), have criticized the law as being outdated and incapable of addressing contemporary problems caused by illegal immigration. Contrasting between these responses, one can argue that there is lack of sufficient orientation provided to the staff at the DCII on the laws pertaining migration and particularly illegal immigrants.

Under the third objective, the aim was to evaluate the amount of immigration department resources and funding in terms of whether they are sufficient or not combating illegal immigrants. The study results showed that 65.5% of the study participants stated that the department has adequate funds to deal with illegal immigrants followed by 31.4% of them who stated that the available resources of funds are not enough to with illegal immigrants. The rate of satisfaction is thus relatively high. However, when contrasted with those interviewed in the DCII, the respondents overwhelmingly lamented that the financial resources available for the departments were very weak.

A possible explanation for this disparity in opinion could be that the participants in the survey restricted their understanding of financial resources to their own salaries or lacked a proper understanding of the role of the DCII in dealing with illegal immigrants. For instance, those interviewed stated the lack of cars and translators as caused by lack of funding. This indicates the day-to-day problems the staff has to deal with to deal with the problem of illegal immigrants which is further complicated by lack or shortage of funding from both their government and partners such as the EU and other international organizations.

The insufficiency of financial resources is further reaffirmed by the participants response to the question of the DCII's economic condition. Asked to assess the economic condition of the department, around 50% of the respondents described the economic condition of the department as poor while about 46.9% said they were average. Meanwhile, only 30.7% thought the financial fund granted by the government to be enough. Hence, this shows how under-funded the department is and how this continues to limit the staffs' productivity in dealing with the problem of illegal immigration.

As regards the presence of cooperation between Libya and Europe to reduce the illegal immigration towards Europe, 60.6% of the study participants agreed that cooperation exists between Libya and Europe to reduce the illegal immigration while 34.3% of them claimed that there is no cooperation between the two sides in dealing with illegal immigrants. What can be deduced from this is that the majority of the participants agree that there is cooperation between Libya and Europe in dealing with illegal immigrants. However encouraging this might sound, the areas and mechanisms of cooperation between the two sides are not clear as is their effectiveness in preventing the flow of illegal immigrants to Europe.

This finding is also complicated by the fact that 48.6% of the study participants stated that there are no channels between Libya and the European countries. The question here is therefore how can there be cooperation if they are no clear channels of doing so. This also raises questions on European countries' commitment to support Libya in preventing the flow of illegal migrants towards Europe.

As can be seen in table 5.25, 48.1% of the study participants said that there no support was coming from the European side to help Libya in combating illegal immigration and 37% of them stated that there is support from the European countries to develop the Libyan patrols across borders. The study finds that Europe's concern over illegal immigrants crossing the Mediterranean to reach its shores is not matched by the narrow channels of cooperation with Libya and its little support to the Tripoli. Hence, this places much of the burden of reducing the flow of illegal immigrants to Europe on the shoulders of Libya and this presents risks to the illegal

immigrants and challenges to Libya. This is inconsistent with Europe's concern of the mass influx of illegal immigrants reaching its shore from Libya while also casting doubts on the continent's commitment on saving the lives of vulnerable immigrants who undergo risk journeys in search of a better livelihood.

4.12. Findings

The study has attempted to examine the DCII's mandate in combating illegal immigration; the importance of immigration law in combating the illegal immigrants; and the economic conditions of the DCII. It found that the only 38.4% of the DCII staff thought that they had mandate to deal with illegal immigrants while close to 50% believe that it is the police that have the full mandate to deal with the immigrants. This reflects the nature of the institutions in the country as poor and fragile. The lack of clear mandate for the DCII raises concerns of the lack of clear job description and mandate between the DCII and the Police departments. This is likely to affect the effective dealing of the DCII with the illegal immigrants. Associated risks include overlap in tasks and 'blame games' between the two departments in case of mistakes or blunders in dealing with illegal immigrants. The study also finds that the immigration department staff overwhelmingly acknowledge the need for inter-departmental cooperation, an indication that there is either little cooperation between relevant departments, or no cooperation at all.

With regards to the significance of immigration law in dealing with illegal immigrants, the study found that the majority of the participants (42.8%) believed the law needed amendments. Another 27.1 % meanwhile argued that the immigration law was not well suited to deal with illegal immigrants. But their claims were not backed with reasons. Meanwhile, those interviewed said that the law was sufficient to mitigate the problem of illegal immigrants. By comparing the discrepancy between these responses, the study finds that there is lack of sufficient capacity-building provided to the staff at the DCII on the legal guidelines related to dealing with migration and particularly illegal immigrants.

As for the funding issue and economic conditions of the DCII, the majority of the respondents said the DCII was suffering a shortage of funding. The study also

found that the DCII lacked translators and cars among other requirements necessary to reach and communicate with the illegal immigrants. Additionally, the study revealed that government funding was not enough. The study also reveals that Europe has not provided to Libya the support required to help the fragile country in reducing the flow of illegal immigrants to Europe.

Despite Europe's concern of the increasing number of immigrants attempting to cross to the continent through Libya, it has not matched its concern with the necessary support in terms of funding and capacity-building thus leaving Libya alone in dealing with immigrants' crisis. This not only risks the lives of desperate immigrants, but also subjects them to risks of abuse from human traffickers. It also presents security challenges to Libya as the risk of infiltration by terrorists and drug dealers from neighboring countries through the porous border increases.

CONCLUSION

Illegal immigration problem is considered a global problem but the current study aimed to examine the case of Libya. The current chapter sum up and conclude the entire study and also explains what the study detected about the evaluation of illegal immigration and the case of Libyan-European relations. Also, it includes a set of recommendations to be worked on by the decision makers and implementers and finally it provides suggestion for future researches. In general, the study found that there are many motivations for illegal immigration including economic, political, social factors. The illegal immigration has negatively affected on the Libyan national security due to the chaos constituted by this illegal immigration, confusion in addition to the internal divisions and conflicts where Libya became and because of the security circumstances a crossing and attraction area for thousands of illegal immigrants. In addition to the spread of crimes and terrorist which accompanied with illegal immigration, human trafficking and drug smuggling offenses. This constituted a security and policy chaos inside Libya and a direct threat to the Libya national security.

This study aimed to evaluate the illegal immigration and the case of Libyan-European relationships. The flow of immigrants from Libya to the European union causes many problems between Libya and the European union countries and especially Italy and Malta where they are considered a preferred destination to the immigrants coming from Libya because of their closeness and thus they are the target of immigrants who want to reach the “Dream of Land” which is Europe according to their point of view.

The mass influx of migrants from Libya through the Mediterranean is caused by a number of factors. These include the deteriorating political and economic situation in the migrants’ countries of origin; the rise of conflicts and dire humanitarian conditions in those countries; powerful criminal networks that run human smuggling and trafficking activities; Libya’s openness to sub-Saharan Africa;

and Libya's economic attractiveness to sub-Saharan who see employment opportunities in the oil-rich country

Italy announced its intendence to spread forces along with Libyan coasts in order to prevent the immigrates to reach to it by using the inflatable boats or the so-called boats of death. This has generated very big problems between Europe and Libya and negatively affected on the Libyan national security.

The North African country already suffers from a protracted civil war since the killing and the removal from power of strongman Muammar Gaddafi. The country has since been grappled by chaos and instability in addition to internal divisions and conflicts.

It also important to consider the interplay between politics and migration in Libya has existed before the 2011 revolution that led to the ousting of Gaddafi and continues to-date. The post-Gaddafi Libya has ushered a blend of rogue militias and "violent entrepreneurs" who smuggle immigrants alongside conducting other criminal activities. As the transition to democracy failed and civil war erupted in Libya in 2014, migration flows into Libya and from it through the Mediterranean Sea also increased. This has been worsened by the increase in instability in some of Libya's neighbors such as Mali, Chad and Sudan. For European policymakers, the difference between pre-Gaddafi and post Gaddafi is that there is now in place repressive measures that put in place to contain migration through securitization policies. In contrast, during Gaddafi era, there existed at least someone who could effectively prevent migrants to reach Europe on behalf of European countries. Following his ouster, no proper state institutions were left behind to take over as the country gradually disintegrated and eventually collapsing in 2014 onwards causing the failure of the externalization of border and migration control in Libya.

The country's institutions have increasingly become fragile and politicized paving way for rampant corruption and polarization of citizens. Libya has thus become easily penetrable by desperate immigrants seeking to reach Europe. It has also been infiltrated by terrorists, human traffickers and other criminal gangs hence posing more security challenges to it. The spread of crimes and negatively affected

on the commercial economic relationships between Libyan and the European countries and also negatively affected on the humanitarian assistances which were provided to Libya by the European union countries.

On this note, the study analyzed the challenges for immigration and illegal immigrants and it is shown that department of combating illegal immigration faces many challenges to deal with illegal immigrants. Chief among these challenges is the lack of clear mandate given by the government on the body in charge of dealing with immigrants. There is confusion between the DCII and the police department on which of the two has the mandate of dealing with reducing the flow of illegal immigrants. This confusion has created overlap in tasks and raises fear of trading blame between departments. There is also lack of proper cooperation between involved department which causes delay in action taking and lack of consultation on the subject of illegal immigration which is key in dealing with the crisis.

Another key challenge faced by DCII is the lack of proper acquaintance on the country's immigration law, what it entails and whether it is suitable in the face of the current challenges. This indicates the need for training the staff at DCII on immigration law and related guidelines. Similarly, it indicates the need for the government to review and update its immigration law to address the increased and new challenges posed by the mass influx of immigrants. The laws should be comprehensive to deal with the issue of immigrants' rights, border patrols, and the safety of staff among others.

In addition, there is severe shortage of funding, a critical problem facing the DCII. Considering the tens of thousands that enter Libya in an attempt to cross to Europe, it is perplexing to learn that the department is underfunded. The study also concluded that the government funding to the department are short and insufficient. This is quite understandable considering the multifaceted challenges the conflict-ridden country is facing to even address the needs of its citizens let alone illegal immigrants. The study also concluded that Europe needs to take the issue of funding the department seriously if it is to enable it address the challenges of dealing with illegal immigrants effectively. The funding, the study argues, should also be comprehensive to deal with capacity-building for the department staff, recruiting

more qualified staff, provide basic needs for the illegal immigrants, as well as ensure the protection of their basic rights. Stressing the last point is particularly important considering the conflict in the country and the fragility of the state institutions. Moreover, it should also include supporting Libya's security institutions in preventing the infiltration of terrorists and criminals disguised as immigrants who pose adverse security challenges not only to Libya, but also to Europe if they manage to make it to the continent.

The study detected that illegal immigrants bring many negative impacts to the country and these impacts include social, economic and political impacts. In addition, the study showed that the pull and push are the main elements which create the illegal immigrants from the home country to another country. Because of these challenges, there is a need for special efforts to be spent by the government in order to alleviate this problem due to its negative impact where the illegal immigrant is considered a dangerous element for the country and the whole society.

Furthermore, the EU should work closely with the home country of these immigrants to cooperate in improving the quality of governance, alleviation of poverty and increase employment opportunities to deter the youth from pursuing perilous journeys towards Europe. .

In sum, despite Europe's concern about the mass influx of immigrants through its southern flank, it has done little to cooperate with Libya and increase funding to ensure the reduction of migrants flow to Europe. This in turn has placed intolerable burden on fragile Libyan institutions threatening the safety of the Libyan citizens, the Immigrants, and that of Europe. Several European countries and the EU have been working hard to advance policies that limit the number of immigrants reaching Europe especially from border countries such as Libya. These policies range from supporting the regime in Libya to block immigrants from leaving the North African country regardless of both the lack of capacity of the staff and departments in Libya and the poor conditions of the vulnerable immigrants, to the externalization of border control. On the other hand, they keep warning migrants on the risks of leaving Libya and crossing the Mediterranean Sea towards Europe. This

is seen as a way of discouraging immigrants from attempting the perilous journey to Europe in order to keep the migrant's crisis in Libya and away from its borders.

For the Libyan authorities, the existing policy is to block/rescue illegal immigrants in the Mediterranean Sea and return them to Libya where they are kept in detention centers (DC). Due to poor funding, these DCs are unfit for holding huge number of migrants are thus in desperate need of renovation and rehabilitation. In some cases, the Libyan authorities repatriates the illegal migrants back to their home countries since the country is not a signatory to the 1951 Geneva Convention for Refugees, hence unable to issue the migrants with international protection within its borders. Moreover, the lucky immigrants who are lucky to be rescued by NGO boats or ships in the Mediterranean are mostly left to spend days at the shores before they are allowed to enter a certain European state.

Such policies are not only contrary to international laws, they are also increasingly subjecting vulnerable immigrants especially women and children to abuse and separating families. In the course of their dangerous journeys for a better life, many immigrants die, which calls for urgent change in policy. Therefore, there is need for the adoption of alternative policies to allow immigrants to reach Europe safely and ease the burden on weak states such as Libya. Libya, itself a conflict zone that needs help from EU in various fields, is definitely not the right place for the EU to hold the immigrants there through draconian means. All involved stakeholders, therefore, need to find ways to address the root causes of migration, as well as provide effective and realistic effective antidotes to this persisting problem. These stakeholders also include the African countries producing the highest number of immigrants and the regional organizations there to form, together with Europe and UN, policies that serve collective interests, and not only those of Europe.

In conclusion, African states that produce the highest number of immigrants for various reasons, should work more on combating corruption, strengthen stability, protect human rights, promote democratic governance and increase educational capacities and employment to significantly reduce the illegal fleeing of immigrants in search of better lives. This, thus, calls for a holistic to resolve the immigration crisis

in Libya by addressing root causes, widen cooperation, and protecting the basic rights of the immigrants.

In addition to the above, the study determined the motivations of illegal immigration and the situation of international law and the situation of humanitarian law. The study showed that there are many motivations to the immigration including seeking of youth to achieve their dreams, economic, political, social and religious reason behind the illegal immigration phenomenon. While in terms of international and humanitarian law, efforts are spent by the agreements and initiatives to decrease the illegal immigration and by reviewing some procedures and legislations enacted by European countries within the European Union to decrease the ratio of illegal immigration.

Also, the study analyzed and reviewed the principles of Libyan national security and the challenges of illegal immigration which it faces. It is shown that there are many principles to the components of Libyan national security including commitment and respecting the concept of separating between legislative and impetrative power and commitment by the importance of Libyan constitution which fulfill the aspirations of Libyan people and their desires towards constructing the institutional state based on rule of law and respect the human rights, commit with well legitimate which is the source of any legislation.

In addition to the commitment with the principles of seventeenth of February Revolution which include the equity, equality and respect the human rights and the construction of law and institutions state. Also, the study reviewed the effect of illegal immigration on the future of Libyan national security and the study showed that illegal immigration has directly affected on the reality of Libyan society economically, socially and security where the flow of immigrants in 2018 is amounted more than (704) thousand illegal immigrants. Those immigrations have economic, social, political and security consequences beside the spread of diseases and negative impacts on the transit countries "Libya". Moreover, the economic dimension constituted the most important consequence witnessed by the Libyan government where the flow of illegal immigrants was the reason in increasing the economic bill in Libya. The illegal immigrations led to the emergence of behaviors

which are inconsistent with social values and traditions in Libya. As well as, the study showed that there is a relationship between illegal immigration and instability of national security in the receiving countries to illegal immigrants.

Recommendations of the Research;

Based on the study results, we provided a set of recommendations in order to eliminate the crimes of illegal entry and residence inside the country and these recommendations can be illustrated as follows:

- It is necessary to have immigration policy and therefore, this will help to modify the immigration law that may fulfill the need of the government.
- The immigration law must be modified after the emergence of immigration policy because the policy must come primarily before the law as it is now. Crimes require the least punishment not the highest punishments as the case with the current immigration law.
- The administration must construct good relationship with border offices to give them the moral, conduct their hard work and deal with illegal immigrants. The administration must be ready to finance the department which responsible to provide rewards for employees who always face illegal immigrants. This motivation may give the morale to implement their job.
- The department of combating illegal immigration by the cooperation with government must expand its budget allocate for illegal immigrants because the current budget is not enough and this effects to the existence of illegal immigrants.
- The EU should cease from employing policies of externalizing and outsourcing border control to Libya which is not only discriminatory to the immigrants and putting their lives in danger, but also discriminatory to Libya for disregarding its own security concerns. European countries must also refrain from agreements with third-party transit countries such as Libya in this case where institutions are fragile and vulnerable to corruption.

- The EU should also make sure that it deals directly with the legitimate government in Libya at a time when several militias who may take advantage of innocent immigrants by oppressing might promise to block migration but on the other hand do almost nothing to commit to basic human rights values for both their citizens and the vulnerable immigrants in the country.
- The EU should also prioritize funding programs that promote better integration and seek to address the root causes of migration instead of investing in more securitization measures to protect Europe walls. While Europe is right to secure its external borders from illicit smuggling and human trafficking, increasingly blocking the immigrants through manifold means is not the answer. Instead, they need to double efforts on countering transnational crime and human trafficking and smuggling through more cooperation with Libya. Given the support of the EU, Libya can better counter terrorist and criminal gangs to enable the elimination of precarious migration and provide safer and legal pathways of migration.
- The study also suggests increasing internal cooperation and responsibility sharing among EU members to ease the burden on frontier countries to host migrants. Also, mechanisms to cater for the needs of those asylum seekers and migrants who make it to European shores including family reunification. There is need for a unified policy among EU members to receive and host immigrants rescued by INGO boats in the international waters who are often returned leaving them stuck in limbo in the boats.
- There is also need for rapid and effective implementation of initiatives that offer migrants with passage into the EU like humanitarian visas which will act as a safer and humane alternative to the precarious journeys most migrants are forced to undertake.
- Support efforts for a peaceful political solution in Libya to end violence and unify the country's leadership, a crucial step that will hopefully provide a better environment for fleeing migrants reaching the North African country by formulating policy reforms towards the migrant across Libya's territories.

- The EU countries should also stop returning back migrants from international waters to Libya because this constitutes a violation of international law and also endangers the lives of these migrants especially considering the lack of capacity in Libya's state institutions and departments to provide safe rescue operations to the migrants.
- The EU should also increase humanitarian aid and key services to migrants stuck in Libya in a sustainable and accountable manner that limits the misuse of aid and services provided.
- For their part, the GNA, with the support of UNHCR and IOM, should follow up with the living conditions in the DCs to ensure they are safe, clean, humane, and matching international standards.
- It must equally take concrete measures to tackle the abuses and violations common in the DCs seriously to ensure the safety of migrants. In addition, investigations into these violations should be launched to ensure that perpetrators are held accountable in order to curb threats against migrants inside DCs. This is important for Libya as it is in compliance with the international human rights laws and in line with its role as a duty bearer of these vulnerable immigrants.
- The GNA needs to engage the EU seriously on the issue of illegal immigrants to ensure that it is not overburdened with the mass influx of migrants and also to ensure that Europe plays its role in accepting to receive migrants and increase measures to tackle human trafficking and smuggling.
- Cooperation between Libya and the EU on tackling smugglers should be fostered, an important step in the fight against smuggling/trafficking. The GNA can better protect its own sovereignty by communicating its progress in fighting these criminals who prey on migrants and invest the money they gain from this illegal scheme to endanger Libya's stability and equally destabilize the state's authorities.
- The GNA should engage the embassies or diplomatic missions of the countries of origin of migrants particularly sub-Saharan countries since

most migrants inside Libya flee from these countries in providing help to their citizens to better control the mass influx of migrants in the country.

- As for NGOs, they need to be more active in migration management and humanitarian relief, and coordinate with Libyan and EU authorities to ensure timely and effective responses to the need of migrants in Libya. They should engage in advocacy to pressure Libya and EU to treat migrants in a humane manner in line with international standards.
- They should out rightly reject political money and funds to pursue projects and agendas that advance externalization of migrants and outsourcing border control, and subjecting immigrants to inhumane DCs or involuntary repatriation.

Suggestions for Future Researches;

- In this study, we tried to assess illegal immigration and the state of Libyan-European relations. The aim was to investigate the factors that negatively affect the termination of illegal immigration to Libya and from there to European countries.
- The results of this study may not answer all the challenges facing the Department of Combating Illegal Immigration in carrying out its tasks comprehensively, and therefore it can be said that the result is not conclusive.
- It is important to conduct more studies on the issue of illegal immigration in Libya because of the terrible increase, especially the last ten years, and therefore the Department of Combating Illegal Immigration must be ready for new strategies to confront illegal entry operations.

BIBLIOGRAPHY

Abdel Hamid, A. (2012). Egypt Warns its Citizens Against Illegal Immigration to Libya, *Al Arabiya Institute for Studies*.19-22.

Abdelaaty, L., & Steele, L. G. (2022). Explaining Attitudes Toward Refugees and Immigrants in Europe. *Political Studies*, 70(1), 110-130.

Abushahma, R. I. H., Ali, M. A., Abd Rahman, N. A., & Al-Sanjary, O. I. (2019). Comparative Features of Unmanned Aerial Vehicle (UAV) for Border Protection of Libya: A Review. In *2019 IEEE 15th International Colloquium on Signal Processing & Its Applications (CSPA)* (pp. 114- 119). IEEE.

Achtnich, M. (2021). Immobility and Crisis: Rethinking Migrants' Journeys Through Libya to Europe. *Libyan Studies*, 52, 154-158.

Adam, I., Trauner, F., Jegen, L., & Roos, C. (2020). West African Interests in (EU) Migration Policy. Balancing Domestic Priorities with External Incentives. *Journal of Ethnic and Migration Studies*, 46(15), 3101-3118.

Adesina, O. S. (2021). Libya and African Migration to Europe. In *African Migrants and the Refugee Crisis*. Springer, Cham. 219-240.

Al -Baroudi, A. (2015). *Political Division in Libya and its Repercussions on State Institutions*. The Libyan Organization for Policies and Strategies. <http://loopsresearch.org/projects/view/8/?lang=ara>.

Al -Jibani, S. (2018). The Separation of the Libyan Economy, *Libya Al - Khobar Newspaper*, 25, 11, Libya.

Al-Alawi, S. A. (2015, May. 11). Illegal Immigration Through Libya. Human Suffering due to Pricing, *Al Jazeera Center for Studies*, Qatar. <https://studies.aljazeera.net/en/node/3871>.

Al-Arab Newspaper of London (2018, July. 24). *Lack of Liquidity Plunges the Libyan Economy into Stifling Crises*. London. <https://alarab.co.uk>.

Albahari, M. (2018). From Right to Permission: Asylum, Mediterranean Migrations, and Europe's War on Smuggling. *Journal on Migration and Human Security*, 6(2), 121-130.

Al-Dayel, N., Anfinson, A., & Anfinson, G. (2021). Captivity, Migration, and Power in Libya. *Journal of Human Trafficking*, 1-19.

Aleksynska, M., & Algan, Y. (2010). *Assimilation and Integration of Immigrants in Europe*. 18-19.

Algerian Encyclopedia of Political and Strategic Studies. (2017). *European Union Policy in the Face of Illegal Immigration*. Algeria. 27-38.

Al-Hussein, M. N. O. (2014). *Illegal Immigration and Crime*, Dar Al-Jamaa for Publishing and Distribution, Amman, first edition.

Al-Kamishi, A. M. (2017). Illegal Immigration through Libya between the Sensitivity of the Situation and the Absurdity of Confrontation, *Al-Mustaqbal Libyan newspaper*, May 10.

Al-Madaen Newspaper (2017). *Markets for Slaves in Libya and the International Organization for Migration Condemns*, Saudi Arabia. <https://almadayinpost.com>.

Al-Salam Center for Development, Research and Strategic Studies. (2018). *Foreign Interventions in Libya*. May 1, Libya. 1-5.

Al-Taj, Othman (2012). The Adventure of Smuggling Youth to Libya. *Painful Stories and Pictures in the Desert*, Al Rakoba Newspaper, 8, June. 11-12.

Al-Zanati, M. U. I. (2013). *The Effects of Illegal African Migration to Europe on Transit Countries: Libya as a Model*, University of Islamic Sciences, Malaysia.

Andrews, F. M., & Herzog, A. R. (1986). The Quality of Survey Data as Related to Age of Respondent. *Journal of the American Statistical Association*, 81(394), 403-410.

Andrijasevic, R. (2010). DEPORTED: The Right to Asylum at EU's External Border of Italy and Libya 1. *International Migration*, 48(1), 148-174.

Arab News (2022). "UN Officials Say Guards Kill 6 Migrants Detained in Libya", <https://www.arabnews.com/node/1944486/middle-east>

Arabi21 (2022). "Arresing Illegal Immigrants by the Libyan Department of Combating Illegal Immigration" <https://arabi21.com/story/>

Arabic Spont (2017). Libya: 20 Thousand Illegal Immigrants who Entered the Country between 2016 and 2017, November. Russia., And 0212 Arabic.sputnikNews.com

Arcimaviciene, L., & Baglama, S. H. (2018). Migration, Metaphor and Myth in Media Representations: The Ideological Dichotomy of "them" and "us". *Sage Open*, 8(2), 2158244018768657.

Arezki, R., Mottaghi, L., & Barone, A. (2018). *Middle East and North Africa Economic Monitor, october 2018: A New Economy in Middle East and North Africa*. World Bank Publications.

Attir, M. O. (2018). North African Regular and Irregular Migration: The Case of Libya. *New England Journal of Public Policy*, 30(2), 5.

Bada, X., & Gleeson, S. (2021). The North American Agreement on Labor Cooperation and the Challenges to Protecting Low-Wage Migrant Workers. In *Accountability across Borders* (pp. 83-110). University of Texas Press.

Baldwin-Edwards, M., & Lutterbeck, D. (2019). Coping with the Libyan Migration Crisis. *Journal of Ethnic and Migration Studies*, 45(12), 2241-2257.

Balint, R. (2019). Before Australia: Historicising Russian Migration via China after World War II. *Australian Historical Studies*, 50(1), 3-20.

Balkan, B., & Tumen, S. (2016). Immigration and Prices: Quasi-Experimental Evidence from Syrian Refugees in Turkey. *Journal of Population Economics*, 29(3), 657-686.

Barbulescu, R. (2017). Still a Beacon of Human Rights? Considerations on the EU Response to the Refugee Crisis in the Mediterranean. *Mediterranean Politics*, 22(2), 301-308.

Basilien-Gainche, M. L. (2015). Immigration Detention under the Return Directive: The CJEU Shadowed Lights. *European Journal of Migration and Law*, 17(1), 104-126.

Battaglia, F. (2017). Peacebuilding and Statebuilding in Libya: An Analysis on the Role of the European Union. *African Journal of Legal Studies*, 10(2-3), 163-179.

Bawabat Al-Wasat newspaper (2018). Human Smuggling from Sudan and Chad to Libya. *Paths and Solutions: A Vision from inside Kufra* (September 23). <https://alwasat.ly/news/libya/220542>.

Bean, F. D., & Khuu, T. V. (2020). The Context and Consequences of the 1986 Immigration Reform and Control Act (IRCA). In Oxford Research Encyclopedia of American History.

Beşer, M. E., & Elfeitori, F. (2018). Libya Detention Centres: A State of Impunity. *Ankara: Migration Policy Center*.

Bisin, A., Patacchini, E., Verdier, T., & Zenou, Y. (2011). Ethnic Identity and Labour Market Outcomes of Immigrants in Europe. *Economic Policy*, 26(65), 57-92.

Bradford, B., & Jackson, J. (2018). Police Legitimacy Among Immigrants in Europe: Institutional Frames and Group Position. *European Journal of Criminology*, 15(5), 567-588.

Brambilla, C. (2015). Shifting Italy/Libya Borderscapes at the Interface of EU/Africa Borderland: A “Genealogical” Outlook from the Colonial Era to Post-Colonial Scenarios. *ACME: An International Journal for Critical Geographies*, 13(2), 220-245.

Braun, K., Passon, J., & Jeworutzki, A. (2020). Across the Vast Land—Some Aspects on Libya’s Geography. In *Across the Sahara*, Springer, Cham. 1-28.

Brell, C., Dustmann, C., & Preston, I. (2020). The Labor Market Integration of Refugee Migrants in High-Income Countries. *Journal of Economic Perspectives*, 34(1), 94-121.

Buhayh, A. M. (2019). The European Warden; Reasons and Effects of Immigration Through Libya. *English Language Institute*. 17. <https://surface.syr.edu/eli/17>

Byrne, S., Clarke, M. A., & Rahman, A. (2018). Colonialism and Peace and Conflict Studies. *Peace and Conflict Studies*, 25(1), 1.

Cañadilla, T. (2021). *The European Externalization of Borders: An Evaluation of the Compliance, Effectiveness and Respect to Human Rights of the Spain-Morocco, Italy-Libya and EU-Turkey Migration Deals*. (Doctoral dissertation, The National University of Distance Education (Spain). Law School)

Capasso, M., Czerep, J., Dessì, A., & Sanchez, G. (2019). Libya Country Report. *EULISTCO Country Report*.

Cassarino, J., p. (2018). Beyond the Criminalisation of Migration: A Non-Western Perspective. *International Journal of Migration and Border Studies*, 4(4), 397-411.

Ceccorulli, M. (2014). Framing Irregular Immigration in Security Terms: The Case of Libya. *Framing irregular immigration in security terms*, 1-114.

Ceccorulli, M., & Labanca, N. (2014). Immigration Policy and Detention as a Solution for Undocumented Immigrants Staying Illegally in the EU Marco Borraccetti. In *The EU, Migration and the Politics of Administrative Detention* . Routledge.58-74.

Cengiz, D., & Tekgüç, H. (2021). Is it Merely a Labor Supply Shock? Impacts of Syrian Migrants on Local Economies in Turkey. *ILR Review*, 0019793920978365.

Ceritoglu, E., Yunculer, H. B. G., Torun, H., & Tumen, S. (2017). The Impact of Syrian Refugees on Natives' Labor Market Outcomes in Turkey: Evidence from a Quasi-Experimental Design. *IZA Journal of Labor Policy*, 6(1), 5.

Chakhava, K. (2022). Conflicts in the Modern World and Their Impact on International Security. In *World Politics and the Challenges for International Security* (pp. 108-131). IGI Global.

Chamunorwa, W., & Mlambo, C. (2014). The Unemployment Impact of Immigration in South Africa. *Mediterranean Journal of Social Sciences*, 5(20), 2631-2631.

Chassamboulli, A., & Peri, G. (2020). The Economic Effect of Immigration Policies: Analyzing and Simulating the US Case. *Journal of Economic Dynamics and Control*, 114, 103898.

Chechen, R. (2010). International Treaties, Instruments and Charters in the Field of Combating Illegal Immigration, *Naif Arab University for Security Sciences*, "Illegal Migration Symposium".

Chemun (2012). *Combating Influx of Illegal Immigrant Around the Globe” the General Assembly* (Doctoral dissertation, The University of Dodoma).

Chirwa, W. C. (1998). Aliens and AIDS in Southern Africa: the Malawi-South Africa Debate. *African Affairs*, 97(386), 53-79.

Clayton, W. S. (2017). Remediation Decision-Making and Behavioral Economics: Results of an Industry Survey. *Groundwater Monitoring & Remediation*, 37(4), 23-33.

Clemens, M. A. (2011). Economics and Emigration: Trillion-Dollar Bills on the Sidewalk?. *Journal of Economic Perspectives*, 25(3), 83-106.

Cochran, W. G. (2007). *Sampling Techniques*. John Wiley & Sons.

Colin, P., & Julie, W. (2005). *Exploring Reliability in Academic Assessment*, UNI Office of Academic Assessment.

Collins, F. L. (2018). Desire as a Theory for Migration Studies: Temporality, Assemblage and Becoming in the Narratives of Migrants. *Journal of Ethnic and Migration Studies*, 44(6), 964-980.

Colombo, M. (2018). The Representation of the “European Refugee Crisis” in Italy: Domopolitics, Securitization, and Humanitarian Communication in Political and Media Discourses. *Journal of Immigrant & Refugee Studies*, 16(1-2), 161-178.

Connor, P., & Krogstad, J. M. (2018). Many Worldwide Oppose More Migration—Both into and out of their Countries. *Pew Research Center*. Retrieved 2019-01-29.

Coutin, S. B. (2005). Contesting Criminality: Illegal Immigration and the Spatialization of Legality. *Theoretical Criminology*, 9(1), 5-33.

Crawley, H., & Blitz, B. K. (2019). Common Agenda or Europe’s Agenda? International Protection, Human Rights and Migration from the Horn of Africa. *Journal of Ethnic and Migration Studies*, 45(12), 2258-2274.

Cusumano, E., & Villa, M. (2019). *Sea Rescue NGOs: A Pull Factor of Irregular Migration?* European University Institute.

Cuttitta, p. (2018). Repoliticization Through Search and Rescue? Humanitarian NGOs and Migration Management in the Central Mediterranean. *Geopolitics*, 23(3), 632-660.

Dagne, T. (2010). Tanzania: Background and Current Conditions. *Library Of Congress Washington Dc Congressional Research Service*.

Damilakou, M. (2018). The Migration–Development Nexus in Argentina’s Post–World War II Policies: Shifts and Continuities from Peron to Frondizi (1946–1962). In *Migration and Development in Southern Europe and South America* (pp. 42-56). Routledge.

Dastyari, A., & Hirsch, A. (2019). The Ring of Steel: Extraterritorial Migration Controls in Indonesia and Libya and the Complicity of Australia and Italy. *Human Rights Law Review*, 19(3), 435-465.

Daw, M. A. (2020). Corona Virus Infection in Syria, Libya and Yemen; An Alarming Devastating Threat. *Travel Med Infect Dis*, 101652(10.1016).

Daw, M. A. (2020). Preliminary Epidemiological Analysis of Suspected Cases of Corona Virus Infection in Libya. *Travel Medicine and Infectious Disease*, 35, 101634.

Daw, M. A. (2021). The Impact of Armed Conflict on the Epidemiological Situation of COVID-19 in Libya, Syria and Yemen. *Frontiers in Public Health*, 698.

Daw, M. A., El-Bouzedi, A. H., & Ahmed, M. O. (2021). COVID-19 and African Immigrants in North Africa: A Hidden Pandemic in a Vulnerable Setting. *Disaster Medicine and Public Health Preparedness*, 15(4), e26-e27.

Daw, M. A., El-Bouzedi, A. H., & Ahmed, M. O. (2021). How are Countries Prepared to Combat the COVID-19 Pandemic During the Armed Conflict? The Case of Libya. *Travel Medicine and Infectious Disease*, 40, 101977.

Daw, M. A., El-Bouzedi, A. H., & Ahmed, M. O. (2021). The Epidemiological and Spatiotemporal Characteristics of the 2019 Novel Coronavirus Disease (COVID-19) in Libya. *Frontiers in Public Health*, 586.

De Guttry, A., Capone, F., & Sommario, E. (2018). Dealing with Migrants in the Central Mediterranean Route: A Legal Analysis of Recent Bilateral Agreements between Italy and Libya. *International Migration*, 56(3), 44-60.

De Silva, p. L. (2017). Regional Impact of Human Trafficking and Forced Migration: Looking for Solutions in Libya 1. In *The Routledge Companion To Media and Humanitarian Action*. Routledge. 102-119.

Deiana, C., Vikram, M., & Giovanni, M. (2019). Migration at Sea: Unintended Consequences of Search and Rescue Operations. *Centre for Economic Policy Research*.

Deng, J. B., Wahyuni, H. I., & Yulianto, V. I. (2020). *Labor migration from Southeast Asia to Taiwan: Issues, Public Responses and Future Development*. Asian Education and Development Studies.

Deval, E. (2018). Trafficking and Exploitation of Migrants in Libya: Focus on the Legal and Administrative Framework, and Exploration of the International Responsibility of the State of Libya. *Rev. BDI*, 51, 43.

Di Giovanni, J., Levchenko, A. A., & Ortega, F. (2015). A Global View of Cross-Border Migration. *Journal of the European Economic Association*, 13(1), 168-202.

Di Maio, M., Leone Sciabolazza, V., & Molini, V. (2020). Migration in Libya: A Spatial Network Analysis. *World Bank Policy Research Working Paper*, (9110).

Dowlah, C. (2020). Global Human Migration: An Overview. *Cross-Border Labor Mobility*, 17-42.

Drinkwater, S., Levine, P., Lotti, E., & Pearlman, J. (2003). *The Economic Impact of Migration: A Survey*. Hamburgisches Welt-Wirtschafts-Archiv.

Du, R., Hotez,, p. J., Al-Salem, W. S., & Acosta-Serrano, A. (2016). Old World Cutaneous Leishmaniasis and Refugee Crises in the Middle East and North Africa. *PLoS Neglected Tropical Diseases*, 10(5), e0004545.

Dubé, E., Gagnon, D., Nickels, E., Jeram, S., & Schuster, M. (2014). Mapping Vaccine Hesitancy—Country-Specific Characteristics of a Global Phenomenon. *Vaccine*, 32(49), 6649-6654.

Durell, J. L. (2018). *The Ohio Migrant Effect: An Introductory Analysis of the Impact of Immigration on Ohioan Income* (Doctoral dissertation, Wittenberg University).

Düvell, F. (2009). Irregular Migration in Northern Europe: Overview and Comparison. In *Clandestino Project Conference*, London, 27th March.

Düvell, F. (Ed.). (2005). *Illegal Immigration in Europe*. London: Palgrave Macmillan.

El Zaidy, Z. (2019). EU Migration Policy Towards Libya. *Friedrich Ebert Stiftung*.

Elhadi, M., Momen, A. A., Alsoufi, A., Msherghi, A., Zaid, A., Abdulhadi, O. M. A. S., ... & Faraj, H. A. (2021). Epidemiological and Clinical Presentations of Hospitalized COVID-19 Patients in Libya: An Initial Report from Africa. *Travel Medicine and Infectious Disease*, 42, 102064.

Emmer, p. C., & Lucassen, L. (2019). Migration from the Colonies to Western Europe since 1800. *European History Online* (EGO).

Estevens, J. (2018). Migration Crisis in the EU: Developing a Framework for Analysis of National Security and Defence Strategies. *Comparative Migration Studies*, 6(1), 1-21.

European Commission. (2004). *Technical Mission to Libya on Illegal Immigration*. https://www.eeas.europa.eu/eubam-libya/about-eu-border-assistance-mission-libya-eubam_en?s=327.

European Council 2018 EUNAVFOR MED Operation Sophia: Operation to Contribute to Better Information Sharing on Crime in the Mediterranean. Press Release, 14 May.

Eurotrack: UK, Denmark, Finland and Norway not Pulling their Weight on Migrants YouGov. yougov.co.uk. Retrieved.25-05-2019.

Facchini, G., & Testa, C. (2021). The Rhetoric of Closed Borders: Quotas, Lax Enforcement and Illegal Immigration. *Journal of International Economics*, 129, 103415.

Fadia, E. 2010) International Experiences in Combating Illegal Migration Riyadh: *Naif Arab University for Security Sciences*. 45-49.

Fadia, E. (2015). Learn about the Most Prominent Countries that have Enacted Laws to Limit Illegal Immigration, *Al-Watan Egyptian Newspaper*, 2.

Fang, R. J. (1989). A Study of Vocational Trainers' Professional Satisfaction in Taiwan Republic of China. *American Vocational Association Convention*.

Faraj, A. (2017). The Migration of Egyptians Through Libya...Mines, Chases, and Deserts Swallow the Wanderers, *Al Arab International Newspaper*. 8, October, Saudi Arabia.

Fasani, F., Llull, J., & Tealdi, C. (2020). The Economics of Migration: Labour Market Impacts and Migration Policies. *Labour Economics*, 67, 101929.

Fein, S., Kelley-Widmer, J., Lyon, B., Yale-Loehr, S., Rogerson, S. H., Gonzalez-Murphy, L., & Zuber, K. (2019). Is America Fulfilling Its Promise? . *Safeguarding Legal Protections for Immigrants (June 7, 2019)*.

Ferstman, C. (2020). Human Rights due Diligence Policies Applied to Extraterritorial Cooperation to Prevent “Irregular” Migration: European Union and United Kingdom support to Libya. *German Law Journal*, 21(3), 459-486.

Foreign Policy (2015). Sudan is a Crossing Point for Human Smuggling to Europe, *Translated by Awad Khairi, Emirates Today Newspaper*, UAE.

Friedrich, W. (2013). Building the Security Sector in Libya, *Carnegie Center for the Middle East*, 6, August, Washington.

Frontex (2017). Risk Analysis for 2017. Available at http://frontex.europa.eu/assets/Publications/Risk_Analysis/Annual_Risk_Analysis_2017.pdf.

Gascon, M., & McIntyre-Mills, J. (2018). Empowering Indigenous People: Voice, Choice and Agency in Rural Development Planning in Mindanao. In *Balancing Individualism and Collectivism*. Springer, Cham. 319-386.

Geiger, M., & Koch, M. (2018). World Organizations in Migration Politics: The International Organization for Migration. *Journal of International Organization Studies*, 9(1), 25-44.

Gentin, S., Pitkänen, K., Chondromatidou, A. M., Præstholt, S., Dolling, A., & Palsdottir, A. M. (2019). Nature-Based Integration of Immigrants in Europe: A Review. *Urban Forestry & Urban Greening*, 43, 126379.

Ghobara, A. (2018). Positive Indicators for the Oil Sector in Libya, *Africa News Portal*, 01, January, Libya.

Giuffré, M. (2017). From Turkey to Libya: The EU Migration Partnership from Bad to Worse. *Eurojus. it*, 20.

Gleeson, S., & Griffith, K. L. (2021). Employers as Subjects of the Immigration State: How the State Fosters Employment Insecurity for Temporary Immigrant Workers. *Law & Social Inquiry*, 46(1), 92-115.

Go, S., Lyapustin, A., Schuster, G. L., Choi, M., Ginoux, P., Chin, M., ... & Reid, J. S. (2022). Inferring Iron-Oxide Species Content in Atmospheric Mineral Dust from DSCOVR EPIC Observations. *Atmospheric Chemistry and Physics*, 22(2), 1395-1423.

Hafeez, E., A. A. (2012). The Concept of National Security and Determining its Dimensions. *European Center for Counter-Terrorism and Intelligence Studies*, The Netherlands.16-31.

Hair, J. F., Page, M., & Brunsveld, N. (2019). *Essentials of Business Research Methods*. Routledge.

Hamood, S. (2006). *African Transit Migration through Libya to Europe: The Human Cost*. Cairo: American University in Cairo, Forced Migration and Refugee Studies. 17-32.

Hamood, S. (2008). EU–Libya Cooperation on Migration: A Raw Deal for Refugees and Migrants?. *Journal of Refugee Studies*, 21(1), 19-42.

Han, E. (2020). Neighborhood Effect of Borderland State Consolidation: Evidence from Myanmar and its Neighbors. *The Pacific Review*, 33(2), 305-330.

Hanson, G. H. (2007). The Economic Logic of Illegal Immigration (p. 30). New York, NY: Council on Foreign Relations.

Hassan, T. K. (2014). *The Challenges for Immigration and Illegal Immigrant: A Case of Zanzibar* (Doctoral dissertation, The University of Dodoma).

Hassan, T. K. (2014). *The Challenges for Immigration and Illegal Immigrant: A Case of Zanzibar* (Doctoral dissertation, The University of Dodoma).

Hauer, M. E., Fussell, E., Mueller, V., Burkett, M., Call, M., Abel, K., ... & Wrathall, D. (2020). Sea-Level Rise and Human Migration. *Nature Reviews Earth & Environment*, 1(1), 28-39.

Heller, C., & Pezzani, L. (2020). The Perils of Migration: Countervailing Mediations of Risk at the EU's Maritime Frontier. In *The Routledge Companion to Media and Risk*. Routledge.130-147.

Hindi, M. (2013). Qastal Road Between Egypt and Sudan, a New Artery in the Heart of the Nile Valley, Al-Ahram newspaper, 10 May

House of Lords (HoL). (2016). Operation Sophia, the EU's Naval Mission in the Mediterranean: An Impossible Challenge.

Hunt, L., & Censer, J. R. (2022). The French Revolution and Napoleon: Crucible of the Modern World. Bloomsbury Publishing.

İçduygu, A. (2015). Syrian Refugees in Turkey: The Long Road Ahead. Washington, DC: Migration Policy Institute.

Idemudia, E., & Boehnke, K. (2020). Travelling Routes to Europe. In *Psychosocial Experiences of African Migrants in Six European Countries* (pp. 33-49). Springer, Cham.

https://www.researchgate.net/figure/African-migration-routes-to-European-Shores-Spain-and-Italy-Source-Global-Initiatives_fig5_343277074.

Igiebor, G. S. O. (2019). Political Corruption in Nigeria: Implications for Economic Development in the Fourth Republic. *Journal of Developing Societies*, 35(4), 493-513.

International Center for Migration Policy Development. (2020, January). *The Legal Guide for Foreigners in Libya*. International Center for Migration Policy Development (ICMPD): https://www.icmpd.org/file/download/49405/file/ICMPD_The%2520Legal%2520Guide%2520for%2520Foreigners%2520in%2520Libya_EN.pdf adresinden alındı

International Rescue Committee. (2020, August 5). *The Human Stories of the World's Most Dangerous Migration Route*. International Rescue Committee: <https://www.rescue.org/article/human-stories-worlds-most-dangerous-migration-route>

IOM Libya. (2021). IOM Resumes Voluntary Humanitarian Return Assistance Flights from Libya After Months of Suspension. https://libya.iom.int/?fbclid=IwAR3uCgeY_O_wWWBkyGMf_Gjv5QtFpKPjg_ZALvP--O4yk4HGvZLIHUAHzInstjk.

Ivanikovych, V., & Karakuts, A. M. (2017). The Problem of Refugees in the Context of Globalization. *Topical Issues of Humanities, Technical and Natural Sciences*, 90-92.

Jain, E. (2018). The Interior Structure of Immigration Enforcement. *U. Pa. L. Rev.*, 167, 1463.

Jalušič, V. (2019). Criminalizing “Pro-Immigrant” Initiatives: Reducing the Space of Human Action. *Dve domovini*, (49).

Joffé, G. (2016). Libya and Europe. *The journal of North African studies*, 6(4), 75-92.

Joffé, G. (2018). Libya and the European Union: Shared Interests?. *The Journal of North African Studies*, 16(2), 233-249.

Johnson, H. P., & Hill, L. (2006). *Illegal Immigration*. San Francisco, Calif, USA: Public Policy Institute of California. 5-6.

Karnfouda, R. (2018). Friends of UNESCO, Negative Effects of Illegal Immigration on the Libyan South, *Libyan Al -Wasat Gate Newspaper*, 12, January, Libya.

Kasozi, J. (2017). The Refugee Crisis and the Situation in Sub-Saharan Africa. *ÖGFE Policy Brief*, 16, 2017.

Kaufmann, E. (2018). *Whiteshift: Populism, Immigration and the Future of White Majorities*. Penguin UK.

Kaushal, N. (2019). *Blaming Immigrants. In Blaming Immigrants*. Columbia University Press.

Kearns, I. (2018). *Collapse: Europe after the European Union*. Biteback Publishing.

Kirby, A. (2001). World Warned on Water Refugees. *BBC News*, 22.

Klabbers, J. (2019). Notes on the Ideology of International Organizations Law: The International Organization for Migration, State-Making, and the Market for Migration. *Leiden Journal of International Law*, 32(3), 383-400.

Klepp, S. (2011). A Double Bind: Malta and the Rescue of Unwanted Migrants at Sea, a Legal Anthropological Perspective on the Humanitarian Law of the Sea. *International Journal of Refugee Law*, 23(3), 538-557.

Knatterud, G. L., Rockhold, F. W., George, S. L., Barton, F. B., Davis, C. E., Fairweather, W. R., & O'Neill, R. (1998). Guidelines for Quality Assurance in Multicenter Trials: A Position Paper. *Controlled Clinical Trials*, 19(5), 477-493.

Kobach, K. W. (2007). Attrition Through Enforcement: A Rational Approach to Illegal Immigration. *Tulsa J. Comp. & Int'l L.*, 15, 155.

Köpping Athanasopoulos, H. (2020). Being Spillover–Undocumented Migrants' Experience of European Integration. In *EU Migration Management and the Social Purpose of European Integration*. Springer, Cham. 117-143.

Krastev, I. (2018). Eastern Europe's Illiberal Revolution: The Long Road to Democratic Decline. *Foreign Aff.*, 97, 49.

Labib, F. (2018). European Parliament: Helping Illegal Immigrants is not a Crime, *Al-Araby Al-Jadeed*, Brussels. <https://www.alaraby.co.uk/> 05/06/2018.

Lange, N. (2019). Speaking and Perceiving Security: A Case Study of the Trump Administration's Securitization of Illegal Immigration Fueling Populism in the US.

Ledoux, C., Pilot, E., Diaz, E., & Krafft, T. (2018). Migrants' Access to Healthcare Services within the European Union: A Content Analysis of Policy Documents in Ireland, Portugal and Spain. *Globalization and Health*, 14(1), 1-11.

Lee, K. Y., & Park, H. (2022). Illegal Immigration, Labour Supply, and Fiscal Policies. *Global Economic Review*, 1-39.

Lehner, R. (2019). The EU-Turkey Deal: Legal Challenges and Pitfalls. *International Migration*, 57(2), 176-185.

Lemamsha, H., Randhawa, G., & Papadopoulos, C. (2019). Prevalence of Overweight and Obesity among Libyan Men and Women. *BioMed Research International*, 2019.

Li, X., Martens, M. P., & Wiedermann, W. (2022). Conditional Direction of Dependence Modeling: Application and Implementation in SPSS. *Social Science Computer Review*, 08944393211073168.

Libya Al-Mustaqbal Newspaper (2016). Chad Prevents its Citizens from Illegal Immigration to Libya. <https://www.libya-al-mostakbal.org/88/12698>. 28/12/2016.

Light, M. T., He, J., & Robey, J., p. (2020). Comparing Crime Rates between Undocumented Immigrants, Legal Immigrants, and Native-Born US Citizens in Texas. *Proceedings of the National Academy of Sciences*, 117(51), 32340-32347.

Libyan Coast Guard rescues 210 migrants. *The Libyan Observer* 2021. <https://www.libyaobserver.ly/inbrief/libyan-coast-guard-rescues-210-migrants>

Lutterbeck, D. (2013). Across the Desert, Across the Sea: Migrant Smuggling into and from Libya. In *Migration, Security, and Citizenship in the Middle East* Palgrave Macmillan, New York.137-166.

Lutterbeck, D. (2018). Arming Libya: Transfers of Conventional Weapons Past and Present. *Contemporary security policy*, 30(3), 505-528.

Lutterbeck, D. (2019). Migrants, Weapons and Oil: Europe and Libya after the Sanctions. *The journal of North African studies*, 14(2), 169-184.

Made for minds (2022). “Libya Arrests Hundreds of Migrants in 'Anti-Drug' Raids”, <https://www.dw.com/en/libya-arrests-hundreds-of-migrants-in-anti-drug-raids/a-59385124>

Mafu, L. (2019). The Libyan/Trans-Mediterranean Slave Trade, the African Union, and the Failure of Human Morality. *Sage open*, 9(1), 2158244019828849.

Maher, K. H., & Carruthers, D. (2021). *Unequal Neighbors: Place Stigma and the Making of a Local Border*. Oxford University Press.

Mahklouf, M. H., & Etayeb, K. S. (2018). Biodiversity in Libya. In *Global Biodiversity*. Apple Academic Press.113-132.

Mahmoud, A. S., Dayhum, A. S., Rayes, A. A., Annajar, B. B., & Eldaghayes, I. M. (2021). Exploiting Epidemiological Data to Understand the Epidemiology and Factors that Influence COVID-19 Pandemic in Libya. *World Journal of Virology*, 10(4), 156.

Malika, H. (2015). Illegal Immigration between Confrontation Strategies and Protection Mechanisms, *Journal of Policy and Law Notebooks*.

Malit Jr, F. T., & Tsourapas, G. (2021). Migration Diplomacy in the Gulf–Non-State Actors, Cross-Border Mobility, and the United Arab Emirates. *Journal of Ethnic and Migration Studies*, 47(11), 2556-2577.

Maltezou, H. C., Theodoridou, M., & Daikos, G. L. (2017). Antimicrobial Resistance and the Current Refugee Crisis. *Journal of Global Antimicrobial Resistance*, 10, 75-79.

Maps and geodata, C. (2021). Libya - Reference Map - Detention centres in Libya - Oct 17.22 October 2021. <https://data.unhcr.org/en/documents/details/89301>

Masrawy Newspaper (2018). The City of Agadez in Niger, Where Hopes and Aborted Dreams Intersect. https://www.masrawy.com/news/news_publicaffairs.14-06-2017.

Massey, D. S., Arango, J., Hugo, G., Kouaouci, A., Pellegrino, A., & Taylor, J. E. (1993). Theories of International Migration: A Review and Appraisal. *Population and Development Review*, 431-466.

McKenzie, K. C., Bauer, J., & Reynolds, P. P. (2019). Asylum Seekers in a Time of Record Forced Global Displacement: The Role of Physicians. *Journal of General Internal Medicine*, 34(1), 137-143.

McMahon, S., & Sigona, N. (2018). Navigating the Central Mediterranean in a Time of ‘Crisis’: Disentangling Migration Governance and Migrant Journeys. *Sociology*, 52(3), 497-514.

Medrado, U. (2019). *From Openness to Restriction: South American Governments’ Responses to the Venezuelan Exodus, 2014-2019* (Doctoral dissertation).

Middle East. (2022), *The United Nations to help Libya in the problem of illegal immigration*, <https://aawsat.com/home/article/3271071>

Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges. (2019). <https://www.unhcr.org/595a02b44.pdf>

Moaz, F. (2018). They Cross Libya to Death, *Middle East Television Network*, Libya. <https://aawsat.com/home/article/3835091>. 25/08/2018.

Moftah, H. (2018). Education in Libya: Broken Locomotive in the Middle of the Road, *Future Libya Newspaper*, 1, August, 2018.

Montanaro, F. (2020). The social Production of a Menace: the Securitization of Migration in the EU.

Moreno, A. (2020). Beyond the Nation-State: A Network Analysis of Jewish Emigration from Northern Morocco to Israel. *International Journal of Middle East Studies*, 52(1), 1-21.

Morone, A. M. (2017). Policies, Practices, and Representations Regarding Sub-Saharan Migrants in Libya: From the Partnership with Italy to the Post-Qadhafi Era. In *Eurafrican Borders and Migration Management* (pp. 129-155). Palgrave Macmillan, New York.

Muguti, T. (2016). Xenophobic Violence and the Future of Intra-African Relations: The Case of Post-Apartheid South Africa. *Myths of Peace and Democracy? Towards Building Pillars of Hope, Unity and Transformation in Africa: Towards Building Pillars of Hope, Unity and Transformation in Africa*, 253.

Muhammad, F. A. (2012) International Experiences in Combating Illegal Migration Riyadh: *Naif Arab University for Security Sciences*, Saudi Arabia.

Munia, G., (2012). Sabha, The Destination of African Emigrants in Libya, *Al Arabiya Institute for Studies*, United Arab Emirates

Mutawa, M. (2015). The European Union and Migration Issues, The Major Problem, Strategies and Developments, *The Arab Future" Magazine*, No. 431.

Nakache, D., & Losier, J. (2017). The European Union Immigration Agreement with Libya: Out of Sight, Out of Mind?. *E-International Relations*, 25.

Natter, K. (2018). Rethinking Immigration Policy Theory Beyond 'Western Liberal Democracies'. *Comparative Migration Studies*, 6(1), 1-21.

Nghia, T. L. H. (2019). Motivations for Studying Abroad and Immigration Intentions: The Case of Vietnamese Students. *Journal of International Students*, 9(3), 758-776.

Niemann, A., & Zaun, N. (2018). EU Refugee Policies and Politics in Times of Crisis: Theoretical and Empirical Perspectives. *JCMS: Journal of Common Market Studies*, 56(1), 3-22.

Nimführ, S., & Sesay, B. (2019). Lost in limbo? Navigating (im) mobilities and practices of appropriation of non-deportable refugees in the Mediterranean area. *Comparative Migration Studies*, 7(1), 1-19. Available at:

https://www.unhcr.org/mt/wpcontent/uploads/sites/54/2020/05/Malta-Sea-Arrivals-and-Asylum-Statistics_2019_UNHCRFactsheet_allyear.pdf;
<https://www.statista.com/statistics/623514/migrant-arrivals-to-italy/>

Nkhoma, B. G. (2014). *Transnational Threats: The Problem of Illegal Immigration in Northern Malawi*.1(2)3-40.

Nwaogu, J. N. (2018). *Comparative Analysis of Oil Wealth and Development in Nigeria and Indonesia, 1999-2017* (Doctoral dissertation, Justina Nkechi Nwaogu).

Nyirongo, R. (2019). *The Libyan Slave Trade: A Study on the Responsibility of the Libyan Government and Relevant Regional and International Bodies Based on International Standards* (Master's thesis, Faculty of Law).

Obućina, O. (2013). Occupational Trajectories and Occupational Cost among Senegalese Immigrants in Europe. *Demographic Research*, 28, 547-580.

Oduntan, G. (2019). Geospatial Sciences and Space Law: Legal Aspects of Earth Observation, Remote Sensing and Geoscientific Ground Investigations in Africa. *Geosciences*, 9(4), 149.

Office of the United Nations High Commissioner for Refugees (UNHCR) 2018 Desperate Journeys. Refugees and Migrants Arriving in Europe and at Europe's Borders. Available at www.unhcr.org/desperatejourneys/

Otovescu, A., & Otovescu, M. C. (2017). The Refugee Crisis in Europe and Addressed Solutions. *Journal of Community Positive Practices*, (2), 63-73.

Pai, H. H. (2020). The Refugee 'Crisis' Showed Europe's Worst Side to the World. *The Guardian*. <https://www.theguardian.com/commentisfree>. 01 January 2020.

Palivos, T. (2009). Welfare Effects of Illegal Immigration. *Journal of Population Economics*, 22(1), 131-144.

Palm, A. (2017). The Italy-Libya Memorandum of Understanding: The Baseline of a Policy Approach Aimed at Closing all Doors to Europe?. *EU Immigration and Asylum Law and Policy*, 2.

Paoletti, E. (2010). *The Migration of Power and North-South Inequalities: The Case of Italy and Libya*. 57-103.

Paoletti, E. (2011). Migration and Foreign Policy: The Case of Libya. *The Journal of North African Studies*, 16(2), 215-231.

Paoletti, E. (2011). Power Relations and International Migration: The Case of Italy and Libya. *Political studies*, 59(2), 269-289.

Park, J. (2015). Europe's Migration Crisis. *Council on Foreign Relations*, 23.

Park, J. (2015). Europe's Migration Crisis. *Council on Foreign Relations*, 23.

Perrin, D. (2019). From One Libya to Another: The Unexpected Place of Law in Approaching Migration. *Afriche e Orienti*.

Perrin, D. (2019). From one Libya to Another: The Unexpected Place of Law in Approaching Migration. *Afriche e Orienti*.

Polo, S. M. (2020). A Pandemic of Violence? The Impact of COVID-19 on Conflict. *Peace Economics, Peace Science and Public Policy*, 26(3).

Popescu, A. (2016). The EU "Costs" of the Refugee Crisis. *Europolity-Continuity and Change in European Governance*, 10(1), 105-120.

Potitti, Y. (2017). The Organization for Migration: The Number of Migrants Through Niger to Libya has Decreased, *Reuters*, 01, April, Libya.

Pradella, L., & Cillo, R. (2021). Bordering the Surplus Population Across the Mediterranean: Imperialism and Unfree Labour in Libya and the Italian Countryside. *Geoforum*, 126, 483-494.

Pradella, L., & Taghdisi Rad, S. (2017). Libya and Europe: Imperialism, Crisis and Migration. *Third World Quarterly*, 38(11), 2411-2427.

Price, J., & Fellas, O. (2008). No Recourse to Public Funds: Financial Implications for Local Authorities. London: NRP Network.

Purayil, M. P., & Purayil, M., p. (2020). Return Migration Amidst a Pandemic: Reflections on Kerala's Gulf Migration. *Journal of Migration Affairs*, 3(1), 99-107.

Purwanto, A., Asbari, M., & Santoso, T. I. (2021). *Education Management Research Data Analysis: Comparison of Results between Lisrel, Tetrad, GSCA, Amos, SmartPLS, WarpPLS, and SPSS For Small Samples*. Nidhomul Haq: Jurnal Manajemen Pendidikan Islam.

Purwanto, A., Asbari, M., Santoso, T. I., Sunarsi, D., & Ilham, D. (2021). *Education Research Quantitative Analysis for Little Respondents: Comparing of Lisrel, Tetrad, GSCA, Amos, SmartPLS, WarpPLS, and SPSS*. Jurnal Studi Guru Dan Pembelajaran, 4(2).

Qassem, R. (2018). Libya: The Escalation of the Phenomenon of Human Trafficking and Major Violations Affecting Migrants. *Al-Quds Al-Arabi Newspaper*

Remini, B. (2021). The Sahara: A Wind Dynamics on Surface and Water in Depth. *Laryssa. Journal P*, (47), 189-207.

Rettman, A. (2017). EU Backs Italy on NGO Rescues. *EU Observer*, 14 July. Available at <https://euobserver.com/migration/138540>.

Rizkalla, N., Arafa, R., Mallat, N. K., Soudi, L., Adi, S., & Segal, S., p. (2020). Women in Refuge: Syrian Women Voicing Health Sequelae due to War Traumatic Experiences and Displacement Challenges. *Journal of Psychosomatic Research*, 129, 109909.

Roy, K., & Yumiseva, M. (2021). Family Separation and Transnational Fathering Practices for Immigrant Northern Triangle Families. *Journal of Family Theory & Review*, 13(3), 283-299.

Rozadilla Castillo, P. (2020). *Balancing Human Rights and Security in the EU Foreign Policy: The Case of Libya. Human Rights Violations in a Refugee Crisis Context* (Doctoral dissertation).

Rozhkov, D., Koczan, Z., & Pinat, M. (2021). *The Impact of International Migration on Inclusive Growth: A Review*.

Rubery, J., Grimshaw, D., Keizer, A., & Johnson, M. (2018). Challenges and Contradictions in the 'Normalising' of Precarious Work. *Work, Employment and Society*, 32(3), 509-527.

Sadarangani, T. R., & Jun, J. (2015). Newly Arrived Elderly Immigrants: A Concept Analysis of "Aging out of Place". *Journal of Transcultural Nursing*, 26(2), 110-117.

Sanchez, G., & Achilli, L. (2020). *Stranded: The Impacts of COVID-19 on Irregular Migration and Migrant Smuggling*. European University Institute.

Sayesh, A. (2002). Euro-Maghreb Cooperation in the Fight Against Illegal Immigration, Memorandum for Obtaining a Master's Degree in Law, *Faculty of Law, University of Badji Mokhtar, Annaba, Algeria*.

Schmidt, V. A. (2019). European Member State Elites' Diverging Visions of the European Union: Diverging Differently since the Economic Crisis and the Libyan Intervention?. In *Euroscepticism within the EU Institutions*, Routledge. 69-90.

Schneider, S. L. (2022). The Classification of Education in Surveys: A Generalized Framework for Ex-Post Harmonization. *Quality & Quantity*, 56, 1829-1866. Doi: <https://doi.org/10.1007/s11135-021-01101-1>

Scholten, P., Entzinger, H., Penninx, R., & Verbeek, S. (2015). *Integrating Immigrants in Europe: Research-Policy Dialogues*, Springer Nature. p. 343.

Schroth, R. K. (2020). North Africa: Algeria, Egypt, Libya, Mauritania, Morocco, Sudan, Tunisia, and Western Sahara. *Gender and Identity Around the World* .2,81.

Seeberg,, p. (2013). The Arab Uprisings and the EU's Migration Policies—The Cases of Egypt, Libya, and Syria. *Democracy and Security*, 9(1-2), 157-176.

Shah, A., & Lerche, J. (2020). Migration and the Invisible Economies of Care: Production, Social Reproduction and Seasonal Migrant Labour in India. *Transactions of the Institute of British Geographers*, 45(4), 719-734.

Shawail, A. (2014). *The Repercussions of the Arab Spring Security in Libya: Reality and Vision*. Benghazi University.1-12.

Shaybout, B. (2013). Threats of Illegal Immigration to European security, *Matnouri University of Constantine, Algeria*. 12-24.

Slaven, M. C. (2020). *Effectiveness of an Evidence-Based Weight Management Pilot Program in a Primary Care Setting: A Doctor of Nursing Practice Project* (Doctoral dissertation, Southeastern Louisiana University).

Steinmann, J., p. (2019). The Paradox of Integration: Why do Higher Educated New Immigrants Perceive More Discrimination in Gerseveral?. *Journal of Ethnic and Migration Studies*, 45(9), 1377-1400.

Stilwell, B., Diallo, K., Zurn, P., Vujicic, M., Adams, O., & Dal Poz, M. (2004). Migration of Health-Care Workers from Developing Countries: Strategic Approaches to its Management. *Bulletin of the World health Organization*, 82, 595-600.

Sugiarti, S., Yunianto, B., Damayanti, R., & Hadijah, N. R. (2021). Legalization of Illegal Small-Scale Mining, as a Policy of Business Guarantee and Environmental Management. In *IOP Conference Series: Earth and Environmental Science* (Vol. 882, No. 1,, p. 012077). IOP Publishing.

Suro, R. (2005). Survey of Mexican Migrants: Part One: *Attitudes about Immigration and Major Demographic Characteristics*. Pew Hispanic Center.24-33.

Surur, A. (2015). Depletion of Resources. Paths of the Libyan Economy in Light of the Intense Conflict, *Al-Badael Center for Planning and Strategic Studies*, 11, April, Egypt.

Taher, A. (2015). The Rights of Irregular Migrants in the Framework of Euro-Mediterranean Cooperation, Memorandum for Obtaining a Master's Degree in Public Law, *University of Wahren, Algeria*. 8-24.

Taiba, A. (2017). *Illegal Immigration between Strategy, Confrontation and Protection Mechanisms*, Faculty of Law and Political Science, University of Djelfa, Algeria. 6-41.

Tazzioli, M., Garelli, G., & De Genova, N. (2018). Autonomy of Asylum?: The Autonomy of Migration Undoing the Refugee Crisis Script. *South Atlantic Quarterly*, 117(2), 239-265.

Tedeschi, M., & Gadd, K. J. (2021). On Multiple Spacetimes in the Everyday Lives of Irregular Migrants in Finland. *The Geographical Journal*, 187(2), 127-137.

Toaldo, M. (2015). Migrations through and from Libya: A Mediterranean Challenge. Istituto Affari Internazionali.

Tolay, J. (2015). Discovering Immigration into Turkey: The Emergence of a Dynamic Field. *International Migration*, 53(6), 57-73.

Tonah, S., & Codjoe, E. (2020). Risking it all: Irregular Migration from Ghana through Libya to Europe and its Impact on the Left-Behind Family Members. *Global Processes of Flight and Migration*, 25.

Topa, G., Moriano, J. A., & Moreno, A. (2012). Psychosocial Determinants of Financial Planning for Retirement among Immigrants in Europe. *Journal of Economic Psychology*, 33(3), 527-537.

Torelli, M, S. (2018). *Migration through the Mediterranean: Mapping the EU response*. ECFR publications only represent the views of their individual authors. https://ecfr.eu/special/mapping_migration/.

Triandafyllidou, A. (2017). Beyond Irregular Migration Governance: Zooming in on Migrants' Agency. *European Journal of Migration and Law*, 19(1), 1-11.

Triandafyllidou, A. (2018). A "Refugee Crisis" Unfolding: "Real" Events and their Interpretation in Media and Political Debates. *Journal of Immigrant & Refugee Studies*, 16(1-2), 198-216.

Tsourapas, G. (2017). Migration Diplomacy in the Global South: Cooperation, Coercion and Issue Linkage in Gaddafi's Libya. *Third World Quarterly*, 38(10), 2367-2385.

Tumen, S. (2016). The Economic Impact of Syrian Refugees on Host Countries: Quasi-Experimental Evidence from Turkey. *American Economic Review*, 106(5), 456-60.

Türkmen, Z. (2021). *Global actorness of the European Union in the context of the refugee crisis and immigration management in case of Libya* .Master's thesis, Türk-Alman Üniversitesi Sosyal Bilimler Enstitüsü.

Ulu, A. (2017). The Economics of the Arab Spring, *National Defense Magazine*, No. 380, Lebanon.

UNHCR. (2016a). *Europe Refugees & Migrants Emergency Response. Nationality of Arrivals to Greece, Italy and Spain. January–December 2015*. UNHCR :

United Nations Support Mission in Libya (2015). *Map of Libya, department of field support*. Map No. 3787 Rev. 10 November 2015.
<https://unsmil.unmissions.org/map-libya>.

United Nations Support Mission in Libya (2018). UNHCR and the International Organization for Migration. Bender, John (2015). European Union, translated by Khaled Gharbi Ali, first edition.

Urciuoli, L., Mohanty, S., Hintsa, J., & Boekesteijn, E. G. (2016). The Resilience of Energy Supply Chains: A Multiple Case Study Approach on Oil and Gas Supply Chains to Europe. *Supply Chain Management: An International Journal*.

Van Aelst, H. (2011). The Humanitarian Consequences of European Union Immigration Policy's Externalisation in Libya: The Case of Detention and its Impact on Migrants' Health. *bsis Journal of International Studies*, 8.

Van Der Waal, J., De Koster, W., & Van Oorschot, W. (2013). Three Worlds of Welfare Chauvinism? How Welfare Regimes Affect Support for Distributing Welfare to Immigrants in Europe. *Journal of Comparative Policy Analysis: Research and Practice*, 15(2), 164-181.

Van Mol, C., & De Valk, H. (2016). Migration and Immigrants in Europe: A Historical and Demographic Perspective. In *Integration Processes and Policies in Europe* (pp. 31-55). Springer, Cham.

Vari, E. (2020). Italy-Libya Memorandum of Understanding Italy's International Obligations. *Hastings Int'l & Comp. L. Rev.*, 43, 105.

Väyrynen, R. (2005). Illegal Immigration, Human Trafficking and Organized Crime. In *Poverty, International Migration and Asylum*. Palgrave Macmillan, London. 143-170.

Verdier, T., Manning, A., Bisin, A., & Algan, Y. (2012). *Cultural Integration of Immigrants in Europe* (p. 359). Oxford University Press.

Victor, H. M. (2020). Illegal African Migration to Europe: Its Challenges, *Implications and possible solutions*.

Von Weizsacker, J. (2008). *Divisions of Labour: Rethinking Europe's Migration Policy*. Bruegel's Blueprint Series, Volume VI, October 2008.

Wahiba, E., (2004). *International Non-Governmental Organizations as a New Actor in the Development of International Law and International Relations*, Master's thesis in International Law and International Relations, Faculty of Law and Administrative Sciences, Ben Aknoun, Algeria. 37-46.

Webster, M. S., Marra, p. P., Haig, S. M., Bensch, S., & Holmes, R. T. (2002). Links between Worlds: Unraveling Migratory Connectivity. *Trends in ecology & Evolution*, 17(2), 76-83.

William, M. A. (2020). Globalization and African Migration to Libya. In *African Indigenous Knowledges in a Postcolonial World* (pp. 241-259). Routledge.

Wirell, S. (2018). Is Libya Doing the EU's Job?: *Externalization of Border Control and Migration Management*.

Wood, M. (1980). The Significance of Gender as a Social and Demographic Correlate of Sex Role Attitudes. *Sociological Focus*, 13(4), 383-396. Doi: 10.1080/00380237.1980.10570374

Woodland, A. D., & Yoshida, C. (2006). Risk Preference, Immigration Policy and Illegal Immigration. *Journal of Development Economics*, 81(2), 500-513.

Xinhua (2018). The United Nations Supports the Improvement of Services in Libya with European Funding of 52 Million Euros, 03, November, China.

Yang R. (2012), "Illegal Immigrant in China," Global Times Newspaper.

Yao, L., Bolen, J. B., & Williamson, C. R. (2021). The Effect of Mass Legalization on US State-Level Institutions: Evidence from the Immigration Reform and Control Act. *Public Choice*, 189(3), 427-463.

YouGov Eurotrack: UK, Denmark, Finland and Norway not Pulling their Weight on Migrants. YouGov: What the world thinks. Retrieved 2018-09-28.

Yousaf, F. N. (2018). Forced Migration, Human Trafficking, and Human Security. *Current Sociology*, 66(2), 209-225.

Zerboni, S. (2020). *The Italian Migration Policy in Libya*. 967216-1250108. Thesis, University of Venice. 12-75.

Zewdu, G. A. (2018). Irregular Migration, Informal Remittances: Evidence from Ethiopian Villages. *GeoJournal*, 83(5), 1019-1034.

Zhang, S. (2021). Immigration and Crime in Frictional Labor Markets. *Review of Economic Dynamics*.

Zoubir, Y. H. (2019). Libya and Europe: Economic Realism at the Rescue of the Qaddafi Authoritarian Regime. *Journal of Contemporary European Studies*, 17(3), 401-415.

APPENDIX

APPENDIX 1: QUESTIONNAIRE

SECTION ONE

1. Age category
 - a) 20 – 25 years
 - b) 26 – 30 years
 - c) 31 – 35 years
 - d) 36 years and above
2. Gender
 - a) Male
 - b) Female
3. Education level
 - a) Primary
 - b) Secondary
 - c) Diploma
 - d) Undergraduate
 - e) Postgraduate
4. Marital status
 - a) Single
 - b) Married
 - c) Widow
 - d) Divorced
5. Work experience
 - a) 5–10 years
 - b) 11–15 years
 - c) Above 15 years

SECTION TWO

6. How much your knowledge about illegal immigrants?
 - a) Very little
 - b) Little knowledge
 - c) Moderate
 - d) Very much
7. How much do you think illegal immigrant brings negative effect to your country?
 - a) Does not bring any negative effect
 - b) They greatly affect our country
 - c) Somehow brings negative effect
 - d) They bring both negative and positive effect
 - e) I do not know
8. Do you think officers of the Department of Combating Illegal Immigration are the right person to deal with illegal immigrant?
 - a) Yes
 - b) No
 - c) I do not know
9. In your opinion which department has been given full mandate to deal with illegal immigrant?
 - a) Immigration Department
 - b) Police Department
 - c) Tourist Police
 - d) Department of Combating Illegal Immigration
10. Is there any need for other Departments to work together with Department of Combating Illegal Immigration in dealing with illegal immigrant?
 - a) Yes
 - b) No
 - c) I do not know

SECTION THREE

11. How much does Department of Combating Illegal Immigration cooperate with other law enforcement agent in combating illegal immigrants?

- a) Very little
- b) Little knowledge
- c) Moderate
- d) Very much

12. Are there any strategies which have been planned in cooperation with those law enforcement agents?

- a) Yes
- b) No
- c) I do not know

13. How many times per year does Department of Combating Illegal Immigration meet with those agents?

- a) Once a year
- b) Twice a year
- c) If there is a need
- d) I do not know

14. How success of their strategies?

- a) No success
- b) Low success
- c) Moderate
- d) High success

15. How do you find immigration law?

- a) Out of date
- b) It needs some amendment
- c) It does not fit for illegal crimes
- d) It adequate for illegal crimes

SECTION FOUR

16. Do you think Department of Combating Illegal Immigration has enough resources to deal with illegal immigrant?
- a) Yes
 - b) No
 - c) I do not know
17. How would you rate the economic condition of the Department of Combating Illegal Immigration in terms of dealing with illegal immigrant?
- a) Very poor
 - b) About average
 - c) Very high
18. The financial fund department given by the Government is enough to finish the problem of illegal immigrant in Libya
- a) Strongly agree
 - b) Agree
 - c) Undecided
 - d) Disagree
 - e) Strongly disagree
19. Some of the problems hinder the efforts of the Department of Combating Illegal Immigration to finish the problem of illegal immigrants.
- a) Human resource
 - b) Financial resource
 - c) Lack of local people's cooperation
 - d) Corruption
20. Do you think Department of Combating Illegal Immigration use the right way fighting with illegal immigrant?
- a) It strongly uses the right way.
 - b) It uses the right way.
 - c) I do not know.
 - d) It uses the wrong way.
 - e) It strongly uses the wrong way.
21. In your opinion why illegal immigrant always increasing?

SECTION FIVE

22. Is there Libyan-European cooperation in order to reduce the flow of illegal immigrants from Libya towards Europe?
- a) Yes
 - b) No
 - c) I do not know
23. Is there cooperation in the field of analyzing work methods to enhance Libya's ability to prevent illegal immigrants flows, especially from its southern borders?
- a) Yes
 - b) No
 - c) I do not know
24. Is there great cooperation between Libya and the European countries to monitor the borders and prevent the attempts of illegal immigrants from violating the Libyan borders towards Europe?
- a) Yes
 - b) No
 - c) I do not know
25. Are there dedicated channels aimed at sending early warnings and data between Libya and the European countries?
- a) Yes
 - b) No
 - c) I do not know
26. Is there support from the European countries to support and develop the capabilities of Libyan patrols, search and rescue in its territorial waters and on the high seas?
- a) Yes
 - b) No
 - c) I do not know

Interviews to obtain graduation requirements and obtain a doctorate degree

This questionnaire evaluates the waves of illegal immigration through Libya to Europe and the extent of their impact on Libyan-European relations...Your participation matters to us and your support supports us.

Please answer all questions during the interview.

INTERVIEW QUESTIONS

1. Have you ever been working at any entry point?
2. Have you ever arrest any illegal immigrant?
3. Which action did you take at the moment?
4. Can you explain to me which procedure do Department of Combating Illegal Immigration use to make sure that illegal immigrant sent back home?
5. Have you satisfied with the current immigration law in terms of fighting with illegal immigrant?
6. Do you think the current law is sufficient to alleviate this problem?
7. Department of Combating Illegal Immigration has sufficient resources to fight against illegal immigrant?
8. How do you find it difficult to finish the problem?
9. What should be done?
10. What is your opinion concerning the problem?