

MISSING ID

An assessment of the challenges
in obtaining travel documents for
migrants in Libya

APRIL 2024

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KEY FINDINGS

Based on 4,381 individual interviews conducted by DTM in Libya with migrants between November 2023 and January 2024, unless stated otherwise.

FACTORS OF INFLUENCE

The data indicates that migrants' possession of travel documents (e.g. work permit or a passport), is strongly influenced by a range of factors including:

- **conditions in the country of origin** (e.g. ease of access to government-recognised ID).
- **migration drivers** (e.g. war and conflict fully or at least partially impairing the ability of migrants to obtain travel documents).
- **migration intentions** (e.g. those who do not intend to stay in Libya are less likely to possess a work permit and those who travel regularly between their country of origin and Libya (e.g. in 2023, nine per cent of migrants reported traveling to Libya on a regular or seasonal basis) are more likely to possess a passport and a work permit).
- **means of transportation used to reach Libya** (e.g. those who traveled by air are more likely to possess travel documents).

VULNERABILITY

The data suggests a **strong link between not possessing travel documents (e.g. work permit, passport) and an increased level of vulnerability** for migrants in Libya as well as throughout migrants' journeys as it is associated with an increased reliance on migration facilitators and limits access to protection mechanisms and safety nets, including the ability to access consular services.

Migrants without travel documents are **more likely to face compound vulnerabilities**, such as financial and safety issues, food insecurity and a lack of clean drinking water and experience **greater difficulty accessing essential services**, such as healthcare, education (for migrant children), civil registration (e.g. following the birth of a child), as well as employment opportunities than migrants with a work permit.

TOP DIFFICULTY

A quarter of the 30,000 migrants interviewed by DTM Libya in 2023 mentioned that a lack of identity documentation was one of the top three difficulties they faced in Libya.

Documentation issues has consistently been identified as the **second most-significant difficulty faced** by the majority of migrants throughout 2023 after financial issues.

LABOUR CONDITIONS

Migrants without travel documents (e.g. work permit, passport) are **more likely to be unemployed** and when employed, are **more likely to be working under precarious working conditions**, compared with those with travel documents.

PASSPORTS

36%

of migrants interviewed in Libya reported having a passport. A greater proportion of migrants from West and Central Africa (82%), and the East and Horn of Africa (94%) said they lacked any form of travel document (e.g. residency visa, work permit, passport) in Libya compared to those from North Africa (<1%) and the Middle East (<1%).

WORK PERMITS

88%

of the 30,000 migrants interviewed in Libya in 2023 reported being **without a work permit.** A smaller percentage of migrants from sub-Saharan African countries (3%) held a work permit than those from the Middle East (41%) and North Africa (22%). Around two thirds of migrants from Asia (67%) possessed a work permit.

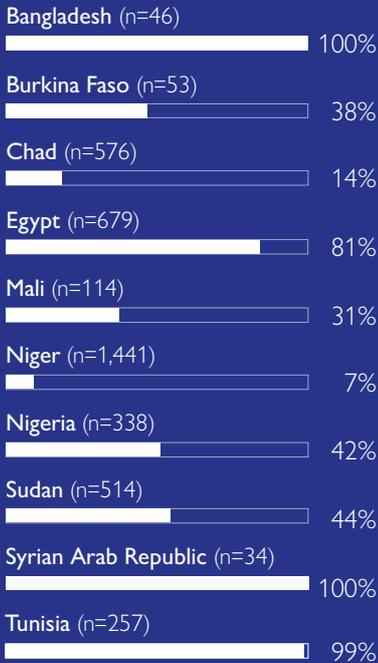


KEY STATS

Based on 4,381 individual interviews conducted by DTM in Libya with migrants between November 2023 and January 2024, unless stated otherwise.

DO YOU HAVE A PASSPORT?

(by country of origin)



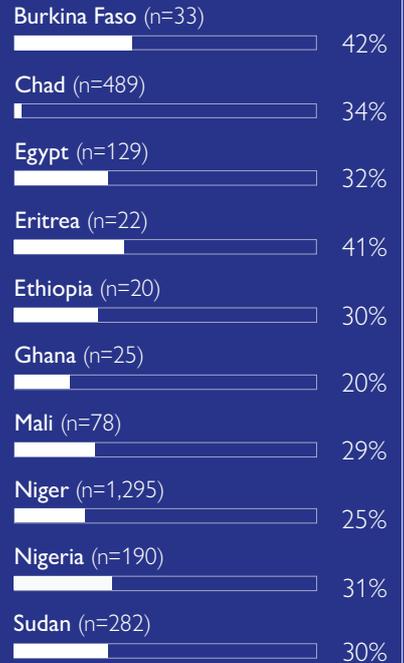
DO YOU HAVE A WORK PERMIT?

(by country of origin)



DO YOU INTEND ON OBTAINING A PASSPORT?

(by country of origin)



REASON FOR HAVING LEFT WITHOUT A PASSPORT?

(by region of origin)

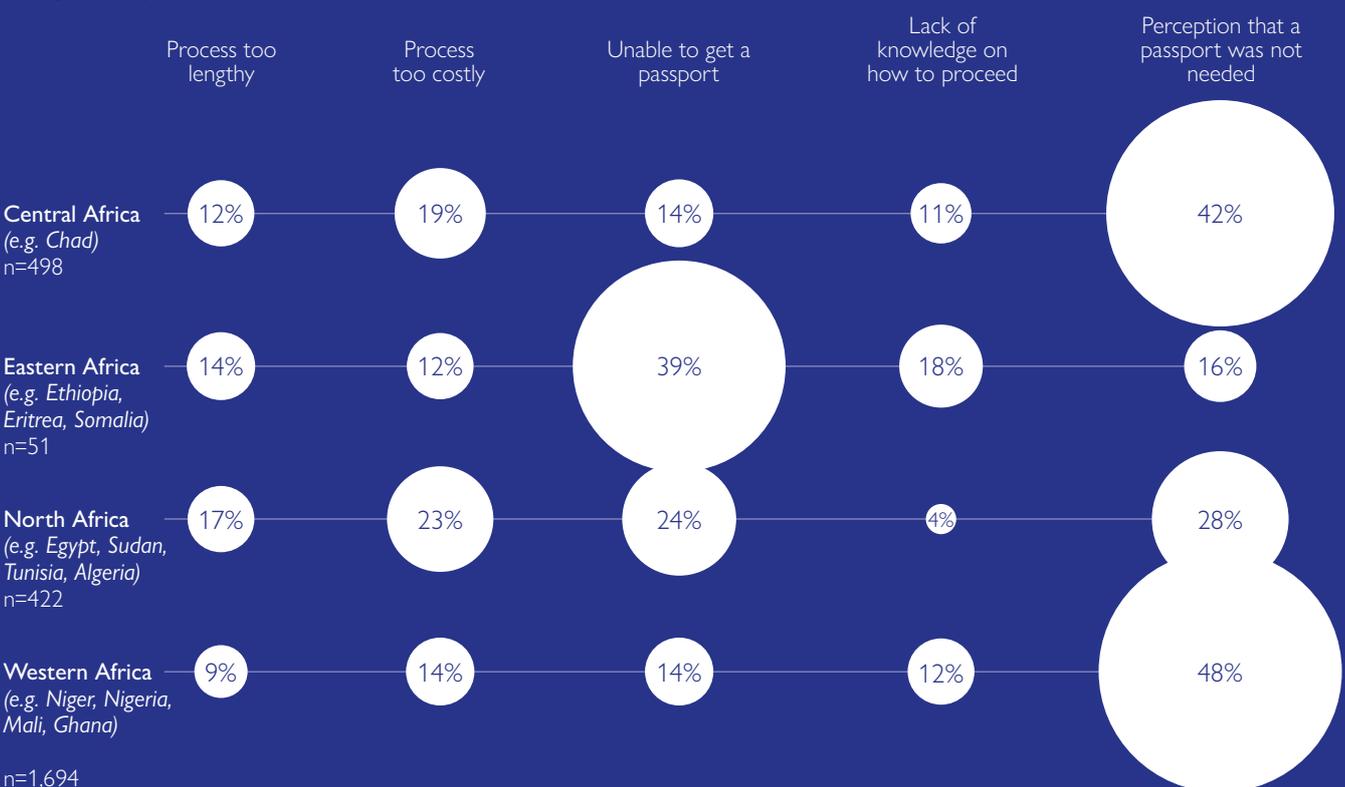


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DEFINITIONS

MIGRANT

An umbrella term, not defined under international law, used to characterize a person who has moved away from their place of usual residence, whether within a country or across an international border, temporarily or permanently, and for a variety of reasons.

For the purpose of collecting data on migration, the United Nations Department of Economic and Social Affairs (UN DESA) defines “international migrant” as “any person who changes their country of usual residence”. For the purpose of this report, a “migrant” is understood to be an “international migrant” in Libya as defined above.

TRAVEL DOCUMENTS

IOM defines travel documents as encompassing all documents issued by a competent authority that are acceptable proof of identity for the purpose of entering another country. Passports and visas are the most widely used forms of travel documents. Some States also accept certain identity cards or other documents such as residence permits. In addition to travel purposes, passports are identity documents that can be used for opening bank accounts or accessing governmental services and benefits.

IDENTITY DOCUMENTS

IOM defines identity documents as official pieces of documentation issued by the competent authority of a State designed to prove the legal identity of the person carrying it. The most common identity documents are national identity cards and passports.

LEGAL IDENTITY

The United Nations Statistics Division (UNSTAT) defines legal identity as the basic characteristics of an individual's identity (e.g. name, sex, place and date of birth) conferred through registration and the issuance of a certificate by an authorized civil registration authority following the occurrence of birth. In the absence of birth registration, legal identity may be conferred by a legally-recognized identification authority. Legal identity is retired by the issuance of a death certificate by the civil registration authority upon registration of death.

CIVIL REGISTRATION

Civil registration is defined by UNSTAT as the “continuous, permanent, compulsory, and universal recording of the occurrence and characteristics of vital events pertaining to the population [e.g. birth, death, marriage, divorce] as provided through decree or regulation in accordance with the legal requirements in each country. This process establishes and provides legal documentation for such events.”

WORK PERMIT

For the purpose of this report, a work permit refers to a residency visa granting a person the permission to reside, seek work and carry out a remunerated activity in a foreign country. The work permit is usually issued by a government authority. Entry visas to Libya can also be granted for the purpose of visit, official mission, study or to join a resident.



LACK OF TRAVEL DOCUMENTS: A DRIVER OF MIGRANT VULNERABILITY

When access to regular pathways, including visa schemes or temporary labour programmes, is limited or inexistent migrant workers are left with few options but to migrate irregularly¹ exacerbating their level of vulnerability.

Overall, nine in ten migrants interviewed by DTM in November and December 2023 in Libya were without a work permit. Moreover, nearly two thirds of migrants did not possess a passport, a key precondition in obtaining a work permit.

In line with these findings, DTM data shows that a lack of identity documentation has consistently been cited as the second most important difficulty faced by migrants in Libya after financial issues throughout 2023. In addition, migrants without a work permit mentioned facing financial, security and identity document issues as well as food insecurity and/or a lack of clean drinking water to a greater extent than those with a work permit (Fig 1).

Unemployment

More than five times as many migrants who reported not having a work permit reported being unemployed (16%) compared to those with a work permit (3%). Unemployment has been highlighted as one of the main determinants of migrant vulnerability in Libya, and has been associated with higher levels of food insecurity², increased difficulty accessing adequate housing³ and heightened pressure⁴ for those sending remittances, which can lead to the adoption of dangerous coping mechanisms.

The lower levels of employment among migrants without a work permit held true across nationalities analysed, except among Tunisians (Fig 2). This is likely explained by a combination of factors⁵ including a generally low unemployment rate among Tunisians in Libya (less than 7% throughout 2023), the geographical proximity of the two countries, cultural affinity and the absence of visa requirement for short stays. Furthermore, around three quarters of Tunisians (77%) who were not in possession of a work permit believed they did not need a work permit to secure employment in Libya, slightly higher than average (72%).

Access to services

The data collected by DTM Libya also suggests that a lack of travel documents may lead to exclusion from education, healthcare and sociocultural activities (e.g. because the fear of being arrested may limit migrants' freedom of movement). For example, three times as many migrants who had no work permit mentioned having no access to healthcare services in Libya (10%) compared to those who did (3%).

Moreover, while only a minority of migrants interviewed mentioned having school-aged children in Libya (7%), a greater percentage of those who stated having a work permit reported that their children had access to education (85%) compared to those without a work permit (30%). A lack of identity documentation (e.g. passport, national identity card) has been highlighted⁶ as the second most important barrier, after financial constraints, limiting migrants' ability to enroll their children in school in Libya affecting around four fifths of migrants.

Safety and security issues

According to key informants because of a lack of documents many migrants, particularly in southern and eastern Libya, are unable to move freely. Unable to reach their embassy to obtain or renew documents out of fear of arrest they are more likely to be exposed to abusive practices,

Figure 1: Percentage of migrants with and without a work permit and whether they reported facing difficulties

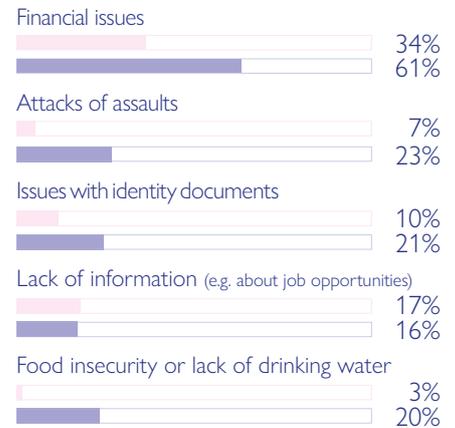
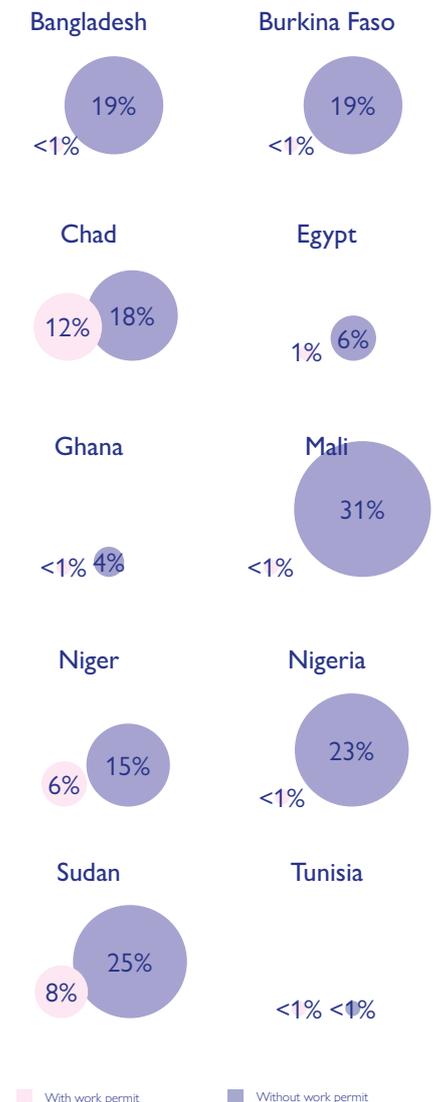


Figure 2: Percentage of migrants who reported being unemployed and actively seeking employment and whether they possessed a work permit by country of origin



1 UN General Assembly (2023). Protection of the Labour and Human Rights of Migrant Workers. Available at <https://documents.un.org/doc/symbol/access?N2320702&t=pdf> (accessed February 2024).
 2 IOM Libya (2020). Migrant Emergency Food Security Report. Available at https://dtm.iom.int/sites/g/files/tmzbd1461/files/reports/DTMLibya_MigrantFS_May2020_0.pdf (accessed January 2024).
 3 IOM Libya (2023). Rented Out: An Assessment of Migrants' Access to the Rental Housing Market. Available at <https://dtm.iom.int/reports/libya-rented-out-assessment-migrants-access-rental-housing-market?close=true> (accessed January 2024).
 4 IOM Libya (2023). Under Pressure: An Analysis of Remittance Trends and the Barriers Preventing Migrants from Sending Money Home. Available at <https://dtm.iom.int/reports/under-pressure-analysis-remittance-trends-and-barriers-preventing-migrants-sending-money?close=true> (accessed January 2024).

5 IOM and AfDB (2012). Migration of Tunisians to Libya: Dynamics, Challenges and Prospects. Available at https://www.afdb.org/fileadmin/uploads/afdb/Documents/Project-and-Operations/Migration_of_Tunisians_to_Libya_Dynamics_Challenges_and_Prospects.pdf (accessed January 2024).
 6 IOM Libya (2023). Migrant Report Round 50. Available at <https://dtm.iom.int/reports/libya-migrant-report-49-july-september-2023> (accessed March 2024).

including when securing accommodation⁷. Furthermore, more than three times as many migrants who do not possess a work permit (23%) compared to those who do (7%) and nearly twice as many migrants who do not possess a passport (27%) compared to those who do (14%) mentioned that insecurity (e.g. attacks or assaults) was one of the three main difficulties they faced. These findings highlight the link between not possessing travel documents and increased levels of vulnerability to insecurity.

The inability to reach consular services is also problematic for those having fled their country of origin because of political reasons or conflict given that approaching their embassy may be impossible (e.g. in the absence of the home country diplomatic mission in Libya) or dangerous (e.g. because of potential repercussion on themselves or their family members).

Socioeconomic and working conditions

The majority of migrants (72%) held the belief that it is possible to find employment without a work permit in Libya. This finding is in line with an ILO study⁸, which highlighted that most work intermediaries or brokers interviewed did not require any documents from migrants to secure work for them in Libya.

While it may be the case that migrants do not always need documentation to secure employment in Libya, the data points to the impact of not having a work permit as a factor relegating migrants to the informal economy⁹, which can limit migrants' ability to secure decent work¹⁰ (i.e. fair income, secure workplace) because of its unregulated nature. For example, and in line with an ILO study¹¹, migrant workers who did not possess a work permit appeared to be working under more precarious working conditions including higher levels of job insecurity and abusive practices such as being paid less than agreed and having their wages withheld (Fig 3). Moreover, a greater proportion of migrants without a work permit were working under informal types of work agreements (Fig 4). Without a written contract migrant workers are more exposed¹² to risks of abuse and changes in the nature of the work undertaken (e.g. rates of pay and working hours).

The data also suggests that possessing a work permit influences the sectors in which migrants are most likely to be employed in. For example, nearly three quarters of migrants employed in jobs classified as professionals* (e.g. nurses, doctors, teachers and engineers) possessed a work permit compared to 25 per cent or less of those employed in the sectors of services, manufacturing, craft and related trades, and agriculture as well as those working in elementary professions* (Fig 5).

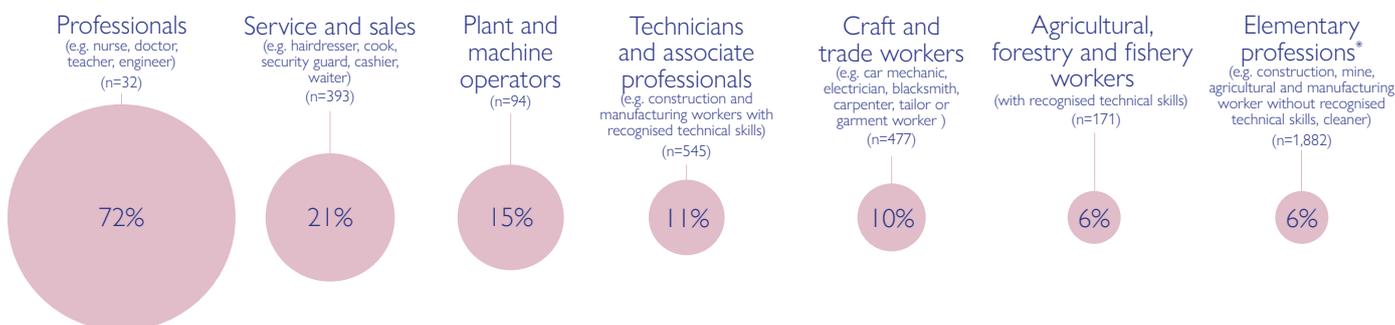
Figure 3: Main risks faced at work and whether migrants have a work permit or not



Figure 4: Percentage of migrants with and without work permits by type of work contract



Figure 5: Percentage of migrants who had a work permit by sector of employment



7 IOM Libya (2023). Rented Out: An Assessment of Migrants' Access to the Rental Housing Market. Available at <https://dtm.iom.int/reports/libya-rented-out-assessment-migrants-access-rental-housing-market?close=true> (accessed January 2024).
 8 ILO (2021). Labour Market Access for Migrants in Libya and the Impact of COVID-19. Available at https://www.ilo.org/wcmsp5/groups/public/-/ro-abidjan/documents/publication/wcms_854341.pdf (accessed January 2024).
 9 IOM Libya (2021). Labour Market Assessment Libya. Available at https://libya.iom.int/sites/g/files/tmzbd1931/files/documents/20210811_LMA%20Collated%20Report%20ENG.pdf (accessed February 2024).
 10 ILO (2024). ILO: Decent Work. Available at <https://www.ilo.org/global/topics/decent-work/lang-en/index.htm> (accessed February 2024).
 11 ILO (2021). Labour Market Access for Migrants in Libya and the Impact of COVID-19. Available at https://www.ilo.org/wcmsp5/groups/public/-/ro-abidjan/documents/publication/wcms_854341.pdf (accessed January 2024).
 12 IOM (2019). IOM Handbook on Protection and Assistance to Migrants Vulnerable to Violence, Exploitation and Abuse. Available at <https://publications.iom.int/books/iom-handbook-migrants-vulnerable-violence-exploitation-and-abuse> (accessed November 2023).

*As defined by the International Standard Classification of Occupations, a statistical framework that organizes jobs into a clearly defined set of groups according to tasks and duties undertaken in the job. Elementary occupations consist of simple and routine tasks which mainly require the use of hand-held tools and often physical effort.

OBTAINING A PASSPORT: MIGRANTS' EXPERIENCES

Around two thirds of migrants (63%) stated not possessing a passport but this percentage varied greatly across regions of origin from 100 per cent of migrants from Asia (e.g. Bangladesh) and the Middle East (e.g. Syrian Arab Republic) to less than half of those from West and Central Africa (Fig 13). This is likely to be at least partially related to the fact that many citizens of sub-Saharan African countries do not possess identity documents¹³, such as a government-recognised national identification.

Without a passport, migrants in Libya are unable to obtain a work permit, as well as move freely within the country and benefit from essential services.

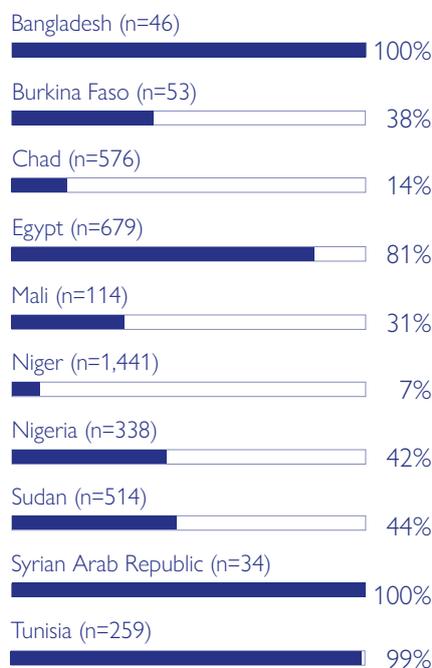
The higher percentages of migrants from Asia and the Middle East in possession of a passport may be at least partially related to the means of transportation they used to reach Libya. For example, a greater proportion of migrants from Asia (96%) and the Middle East (83%) mentioned having traveled by plane to Libya compared to those from North Africa (31%), West and Central Africa (1%) or Eastern Africa (<1%). It is assumed that those who traveled by plane had to show travel documents (e.g. passport, national ID, work visa) at the airport checkpoint(s).

Overall, a greater percentage of males mentioned having a passport (37%) in Libya compared female migrants (30%). This could be related to certain social norms and laws that can create more obstacles¹⁴ for women to obtain identity documents.

Reasons for having left without a passport

The main reason cited by migrants for having left without a passport was that they held the belief that they do not need one to travel to Libya (44%) (Fig 14). The second and third most common reasons were that the process of obtaining a passport would have been too costly (17%) or that migrants were unable to get a passport in their country of origin (17%).

Figure 13: Percentage of migrants who reported possessing a passport by country of origin



Responses varied depending on migrants' regions of origin. The main reason for having left without a passport among migrants from Eastern Africa (40%) was related to their inability to obtain a passport in their country of origin whereas for migrants from West and Central Africa (48%) and North Africa (29%) it was linked to their perception that they do not need a passport to travel to Libya (Fig 15). This perception could be related to the fact that migrants from the Economic Community of West African States (ECOWAS)¹⁵ have been able to move between countries along the main migration routes to Libya visa-free for 90 days if in possession of a valid travel document,

such as a national ID. All migrants from Asia and the Middle East who were interviewed mentioned having a passport.

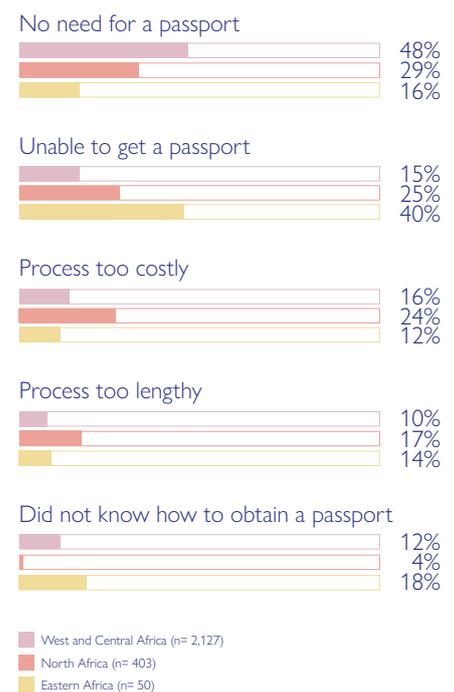
Intention to obtain a passport in Libya

Overall, a quarter of migrants (25%) reported their intention to obtain a passport while in Libya. More migrants from Chad (34%), Egypt (32%), Nigeria (31%), Sudan (30%), Mali (29%) than those from Niger (25%) mentioned their intention to obtain a passport in Libya.

Figure 14: Reasons for having left without a passport (single-choice question)



Figure 15: Reasons for having left without a passport by region of origin (single-choice question)



N.b. All respondents from the Middle East and Asia reported having a passport.

13 IOM (2023). Compendium of Good Practices in Enabling Access to Legal Identity for Undocumented Migrants. Available at <https://publications.iom.int/books/compendium-good-practices-enabling-access-legal-identity-undocumented-migrants> (accessed January 2024).

14 World Bank (2022). Addressing the Gender Gap in ID Access. Research Summary. Available at <https://id4d.worldbank.org/sites/id4d/files/ID4D-Gender-and-Legal-Barriers-Summary-EN.pdf> (accessed March 2024).

15 In 2024, Niger, Mali and Burkina Faso announced their departure from ECOWAS. However, they remain part of the West African Economic and Monetary Union, which allows free movement of people and goods between its eight member countries (Benin, Burkina Faso, Guinea-Bissau, Côte d'Ivoire, Mali, Niger, Senegal and Togo).

Interviews with multiple embassies including those of Sudan, Nigeria and Ghana, confirmed that they receive multiple requests from their citizens for the issuance of passports on a regular basis.

Main obstacles faced by migrants who intend to obtain a passport in Libya

Key informant interviews revealed that the cost of obtaining a passport as well as issues accessing home country's embassy assistance were the main obstacles that migrants faced in trying to obtain a passport in Libya. The fear of arrest or the absence of diplomatic mission within a reasonable and safe distance of where migrants live and work (e.g. many embassies only have offices in Tripoli) were two factors identified by key informants as impeding migrants' ability to seek help from their embassies.

Other obstacles cited included the lack of knowledge of nationals about the services offered by their embassy due to a lack of communication channels or the absence of information available online.

Some embassies (e.g. Chad) stated that the service of passport issuance for their nationals in Libya is not currently operational due to factors such as a lack of up-to-date fingerprinting technology or the embassy's inability to issue national identification numbers.

Lost, damaged or stolen documents

Key informant interviews revealed that some embassies (e.g. Chad, Ghana) can and will issue their nationals with a temporary card or travel document that can help migrants with procedures such as obtaining a health certificate, or return-

ing to their country of origin if they have lost their documents or if they have been stolen or damaged.

Other embassies (e.g. Sudan), however, mentioned that some migrants may face issues when they require emergency identification or travel documents if they have been stolen, for example, because when a police report is needed the embassy is unable to help and the relevant authorities in the country of origin need to be contacted. In addition, many migrants may be unable to get a police report out of fear of being arbitrarily arrested or because they are unable to communicate in Arabic, for instance.

Renewal of documents

Several key informants explained that the inability to renew one's travel documents (such as the work permit and passport) in Libya and the need to return to their country of origin to do so involves finan-

cial hardship (e.g. high costs, foregone earnings) particularly in a context where around a third of migrants according to a [DTM Libya study](#)¹⁶ stated that their savings could only sustain them for a week or less in case of loss of livelihood.

At the same time, there may be a fine if one overstays their residence permit (500 LYD according to the recent Council of Ministers Decision No. 137 of 2024 Article (3) on the amendment of Article (39) of the Executive Regulations of Law No. 6 of 1987 regulating the entry, residence, and exit of foreigners in Libya).

According to a key informant, the cost for renewing documents through an intermediary can reach up to 600 LYD (and should be 500 LYD according to the recent Council of Ministers Decision No. 137 of 2024 Article (3) on article 39).

In addition to the economic cost, one key informant also mentioned that finding an employer willing to sponsor their application was an additional barrier for several migrants to renew their documents.

¹⁶ IOM Libya (2022). COVID-19 and Vaccination in Libya. Available at <https://dtm.iom.int/reports/libya-covid-19-and-vaccination-libya-follow-assessment-migrants-knowledge-attitudes-and?close=true> (accessed February 2024).



OBTAINING A WORK PERMIT: MIGRANTS' EXPERIENCES

Overall, a total of 12 per cent of migrants interviewed in 2023 reported having a work permit in Libya. A greater percentage of males mentioned having a work permit (12%) compared to female migrants (7%). In line with findings from an ILO study¹⁷ fewer migrants from sub-Saharan African countries in Libya held a work permit compared to those from the Middle East and North Africa region (Fig 6). Two thirds of migrants from Asia (67%) possessed a work permit.

Main challenges in obtaining a work permit

Nearly three quarters of migrants (72%) mentioned that they had left their country of origin without a work permit because they believed they could find work in Libya without one. A minority of migrants interviewed by DTM Libya stated that the process of obtaining a work permit was either too costly (18%) or too lengthy (9%). A total of 14 per cent reported not having a work permit for Libya because they intend on migrating onwards to another country. Around one in ten (9%) stated that it was not possible to get a work permit for Libya.

A higher share of migrants from Eastern Africa reported that issues with the process of obtaining a work permit (length, cost and feasibility) were the main reasons why they were in Libya without a work permit compared to migrants from other regions of origin (Fig 7). This finding is likely explained by the differences in migration drivers between regions of origin. Over two fifths of migrants from Eastern Africa mentioned that security-related issues (e.g. war, conflict or violence) (44%) was the main reason why they had left their country of origin (rendering the process of obtaining a work permit impossible, or at least more difficult as conflict

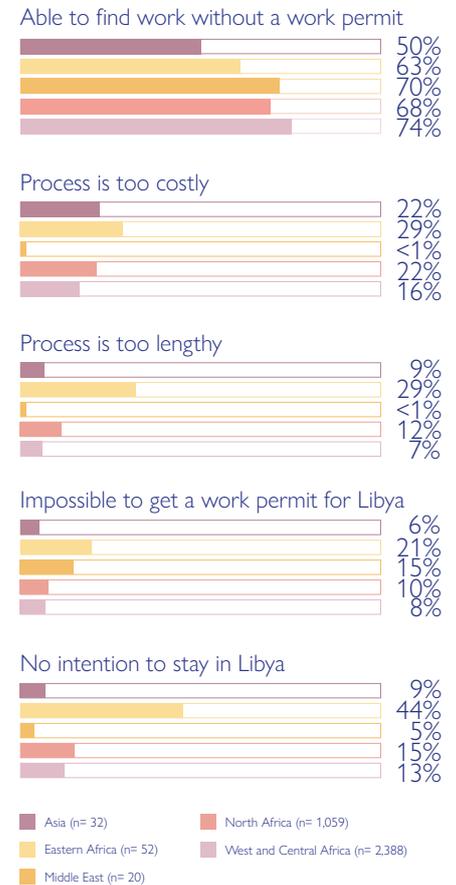
Figure 6: Percentage of migrants with a work permit by region of origin



can strain the resources of consulate¹⁸ and relevant authorities to deliver visas, as has been the case for Sudanese fleeing to Egypt, for example). In comparison, eight per cent of migrants from other regions of origin mentioned security-related reasons as the top reason behind their migration to Libya. Furthermore, this trend is also potentially related to migration intentions as a greater percentage of migrants from Eastern Africa reported that they are not in possession of a work permit because they do not intend on staying in Libya (44%) compared to migrants from other regions of origin (13%).

In addition, the requirement of obtaining their work permit through the sponsorship of a future employer is a constraint for many migrants, according to a key informant. Moreover, work permits that tie migrants to a specific employer have been linked¹⁹ to increased vulnerability and power imbalances (e.g. because it reduces migrants' bargaining power and limits their ability to seek redress in case of abuse because of the prospect of job and migration status loss).

Figure 7: Top 4 reasons why migrants left without a work permit by region of origin (multiple-choice question)



While only a minority of migrants interviewed had a work permit (9%), according to a previous IOM Libya study²⁰, nearly nine in ten migrants (86%) reported being interested in participating in a programme to receive a work permit.

Documents needed to obtain a work permit

The majority of migrants mentioned having had to submit their passport (88%), a health certificate (79%) and a photo (63%) to obtain their work permit (Fig 8). A minority also reported having had to produce a proof of return or onward flight booking (14%) and evidence of funds (6%). Nearly a fifth of migrants (18%) stated having had to show an invitation letter from their employer (18%) to obtain their work permit.

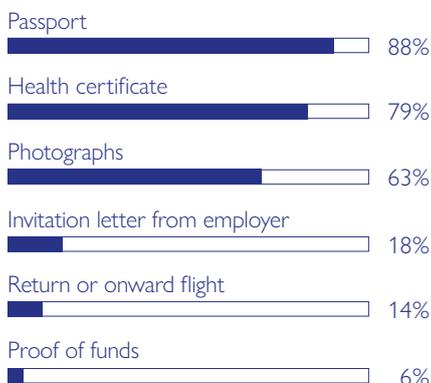
17 ILO (2021). Labour Market Access for Migrants in Libya and the Impact of COVID-19. Available at https://www.ilo.org/wcmsp5/groups/public/-/africa/-/ro-abidjan/documents/publication/wcms_854341.pdf (accessed January 2024).

18 Human Rights Watch (2023). Egypt: Civilians Fleeing Sudan Conflict Turned Away: New Entry Restrictions Leave Asylum Seekers in Peril. Available at <https://www.hrw.org/news/2023/07/13/egypt-civilians-fleeing-sudan-conflict-turned-away> (accessed February 2024).

19 United Nations General Assembly (2023). Protection of the Labour and Human Rights of Migrant Workers. Available at <https://documents.un.org/api/symbol/access?symbol=N23207028&pdf> (accessed February 2024).

20 IOM Libya (2023). Regularization Feasibility Study on Migrant Regularization in Libya. Available at https://libya.iom.int/sites/g/files/tmzbd931/files/documents/2023-05/iom_voluntas_regularization-report_final.pdf (accessed January 2024).

Figure 8: Which documents were you required to submit to obtain your work permit?



Medical certificate

A greater proportion of migrants from sub-Saharan Africa (86%), the Middle East (82%) and North Africa (79%) than those from Asia (45%) mentioned having had to submit a health certificate.

In 2023, the Libyan authorities reportedly²¹ asked employers to regularize the status of their foreign employees requesting them to obtain a medical certificate in one of the centers designated by the Ministry of Health. One key informant reported that a valid identification document is necessary to more easily obtain a health certificate in Libya, which can be an obstacle to many migrants considering that the majority (63%) are in Libya without a passport.

One key informant who employs migrants explained that in their opinion a health certificate (issued by the relevant authorities) proving that a migrant is “free of contagious diseases” was of vital importance in the hiring process. During the COVID-19 pandemic, migrants were touted as being vectors of infection. An IOM Libya study highlighted that the conditions in which migrants may live and migrate (e.g. overcrowded housing, inability or fear of accessing healthcare services resulting in delayed diagnosis or treatment) can be conducive to higher prevalence

of some communicable diseases, which could explain a high percentage of health-care workers who perceive migrants as “spreading communicable diseases”.

How did migrants obtain their work permit?

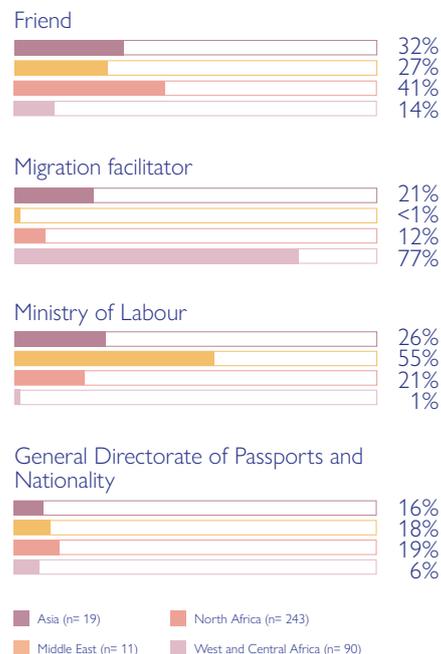
Around a third of migrants interviewed mentioned having submitted their documents to either the General Directorate of Passports and Nationality (15%) or the Ministry of Labour (17%). Nearly two thirds of migrants had used an intermediary (a friend (33%) or a migration facilitator (28%)) potentially involving additional costs (see section ‘fees to obtain a work permit’).

A higher share of migrants from West and Central Africa (77%) mentioned having obtained their work permit through a migration facilitator compared to those from other regions of origin (Fig 9). In addition, a minority (four respondents (<1%)) working in the health sector mentioned having received their work permit through their employer (hospital or health clinic) or an office affiliated with the Libyan Ministry of Health.

A greater proportion of migrants who mentioned being in Libya without a passport reported having submitted their documents to a migration facilitator (75%) compared to those who possess a passport in Libya (13%) pointing to the increased reliance of migrants who lack identity documentation on migration facilitators.

According to the International Center for Migration Policy Development (ICMPD)²², entry visas for the purpose of residence and work in Libya are issued on the basis of a permit for recruiting foreign labour issued by the Ministry of Labour and Rehabilitation in accordance with the prescribed procedures (see Box 2).

Figure 9: Who did you submit your documents to obtain your work permit by region of origin?



Box 2: Issuance of work permit

According to Article 1 of the General People’s Committee Decree No. 212 of 2019 on Adopting Certain Provisions Related to the Entry, Residence, Exit and Work of Foreigners in Libya, entry visa for the purpose of work are issued by the General Directorate of Passports and Nationality, with the approval of the Ministry of Labour and Rehabilitation based on a request submitted by the employer.

According to Paragraph 1 of Article 15 of Decree No. 125 of 2005 on the Executive Regulation of Law No. 6 of 1987 on Organizing the Entry, Residence and Exit of Foreigners in Libya, an applicant must fulfill the following conditions to receive a work permit:

- hold a travel document valid for a period of six months or more;
- valid round-trip air ticket for non-residents;
- a personal photograph;
- a sponsor requesting an entry visa for the purpose of work (the employer recruiting the visa applicant) and a preliminary contract of employment;
- fee of 500 LYD per person and no more than 1,500 LYD per family (except for Tunisians and Egyptians).

21 Nova News (2023). Libya, Squeeze on Foreign Workers: They will Have to Comply by 2 September. Available at <https://www.agenzianova.com/en/news/libya-tightened-on-foreign-workers-will-have-to-comply-by-2-september/> (accessed February 2024).

22 ICMPD (2020). The Legal Guide for Foreigners in Libya. Available at <https://www.icmpd.org/file/download/49405/file/ICMPD-The%20Legal%20Guide%20for%20Foreigners%20in%20Libya-EN.pdf> (accessed February 2024).

Use of intermediaries

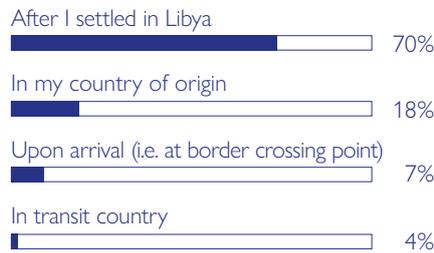
One key informant who works for a company employing migrant workers believed that intermediaries can help process the forms to obtain a work permit more quickly (i.e. within 3 days) than if migrants submit their applications directly to the relevant authorities, which can mean a processing time of between seven to ten days, according to them. However, because it is unregulated and because it creates power imbalances²³ the use of recruitment intermediaries may increase²⁴ migrants' exposure to abusive practices, such as being charged extortionate fees, wages being withheld or intimidation.

In 2022, for example, according to one media report²⁵, the main recruitment agencies which were providing work permits for Bangladeshis were reportedly charging excessive processing fees. Since then, a Memorandum of Understanding between Libya and Bangladesh has been signed²⁶ "to ensure security and transparency in the process of sending workers" to Libya by allowing for their registration and by facilitating legal procedures, including their legal entry and repatriation. The Mixed Migration Centre reports²⁷ that through this agreement the data exchange between the two countries would facilitate compliance to legal processes and guarantee access to Libya's social security system for migrant workers.

Receiving the work permit

The majority of migrants interviewed by DTM Libya stated having received their work permit after having settled in Libya (70%) while a minority obtained it in their country of origin (18%), upon crossing into Libya (7%) or while in transit (4%) (Fig 10).

Figure 10: When did you get your work permit?

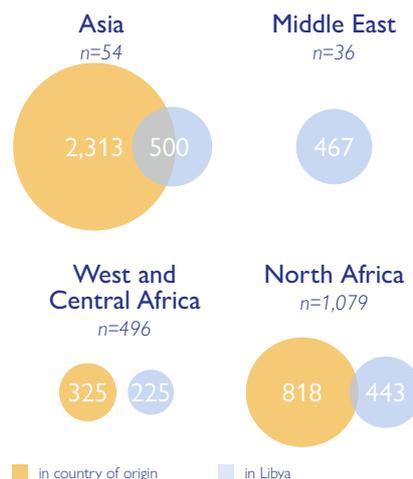


Fees to obtain a work permit

Migrants reported paying an average of 382 Libyan dinars (LYD) for their work permit but the reported cost varied greatly from LYD 25 to 8,000. On average, migrants from Asia mentioned having paid more for a work permit (1,624 LYD) compared to those from North Africa (471 LYD), the Middle East (350 LYD) or West and Central Africa (105 LYD). Migrants who stated having acquired their work permit in their country of origin had paid more than those who obtained it in Libya, a trend which held true regardless of migrants' region of origin (Fig 11).

Migrants who cited having submitted their work permit through official channels (e.g. government office) had paid less on average (479 LYD) compared to those who had used an intermediary (e.g. migration facilitator, travel agent, friend) (674 LYD).

Figure 11: Average amount paid by migrants (Libyan dinars) by location where the work permit was obtained and migrants' regions of origin



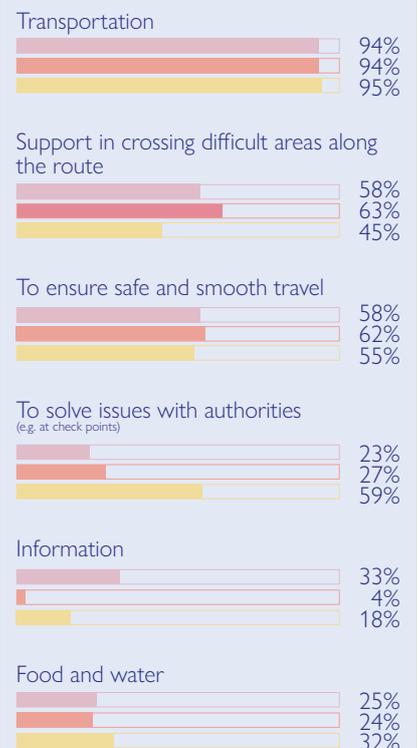
Box 3: Use of migration facilitators and intermediaries

Overall the majority of migrants interviewed by DTM have consistently been reporting using the services of migration facilitators. Beyond support with obtaining a work permit, migrants reported having used migration facilitators for a range of services including mainly transportation, support in crossing difficult areas along the migration route and to ensure safe and smooth travel (Fig 12).

Reliance on migration facilitators

Reliance on migration facilitators because of a lack of travel documents may increase migrants' vulnerability to exploitation and abuse, which can further be compounded by a lack of access to protection mechanisms and social protection during the migration journey and in Libya.

Figure 12: Top five services for which migrants hired migration facilitators



N.b. Sample sizes for respondents from the Middle East and Asia was too small (7 and 12 respectively) for comparison.

23 ILO (2022). Forced Labour and Forced Marriage. Available at https://www.ilo.org/wcmsp5/groups/public/-/ed_norm/-/ipec/documents/publication/wcms_854733.pdf (accessed February 2024).
 24 United Nations General Assembly (2023). Protection of the Labour and Human Rights of Migrant Workers. Available at <https://documents.un.org/api/symbol/access?N2320702&t=pdf> (accessed February 2024).
 25 Newage (2022). Libyan Labour Market Reopens for Bangladesh After Almost a Decade. Available at <https://www.newagebd.net/article/185846/libyan-labour-market-reopens-for-bangladesh-after-almost-a-decade> (accessed January 2024).
 26 TBS News (2023). Bangladesh, Libya Sign MoU for Safe Recruitment of Workers Available at <https://www.tbsnews.net/bangladesh/migration/bangladesh-libya-sign-mou-safe-recruitment-workers-727446> (accessed January 2024).
 27 Mixed Migration Centre North Africa. Quarterly Mixed Migration Update: North Africa. Available at <https://mixedmigration.org/wp-content/uploads/2024/01/QMMU-Q4-2023-North-Africa.pdf> (accessed February 2024).

Who paid for the work permit?

The majority of migrants (58%) stated having paid for their work permits themselves while 19 per cent reported that their future employer had paid for it. A minority mentioned that a migration facilitator they hired had paid for it²⁸. According to two key informants who work for companies employing migrant workers and a 2014 IOM and Euroasylum [assessment](#)²⁹ employers are mandated to process with the application of the work permit and pay the associated fee.

In addition to having to pay the fee associated with a work permit, companies employing migrant workers are also [responsible](#)³⁰ for ensuring that employees are covered by health and social security benefits. Moreover, companies employing foreign workers are liable for training unemployed Libyans for the positions generally occupied by foreigners and are expected to hire Libyans where jobs are filled by foreign labour. This financial and administrative burden can lead some employers or recruiters to [be less willing](#)³¹ to hire migrants on a formal basis particularly in a context where the majority of migrants are undocumented making their regularization in Libya cumbersome, if not impossible. At the same time, this may [leave](#)³² migrant workers unknowingly in irregular situation.

Duration of work permit

On average, migrants reported that their work permit was valid for a duration of four months in total. The average validity of the work permit varied between region of origin from 40 days (Asia) to 80 days (Middle East) and 120 days (North, West and Central Africa).

According to key informants who work for companies employing migrants, work permits may be granted for the duration of the employment contract, and according to them contracts are generally issued for a duration of twelve months or less.

According to [Article 27](#)³³ of Decree No. 125 of 2005 on the Executive Regulation of Law No. 6 of 1987 on Organizing the Entry, Residence and Exit of Foreigners in Libya, a work permit is granted according to the length of time stipulated in the employment contract and for up to five years as long as the applicant's travel document (e.g. passport or national ID) remains valid for the same period of time.

Conversion from residency visa to residency permit

According to the ICMPSD '[Legal Guide for Foreigners in Libya](#)³⁴', the residency visa (whether for work, study or family reunification) must be converted within one month of the date of issuance into a residency permit by the General Directorate of Passports and Nationality.

The majority of migrants (52%) who had a residency visa mentioned that they had submitted it within one month to convert it to a residency permit.

“

We are in dire need of [migrant] workers, but I hope that they will be counted and organized, and that a special system will be implemented to follow up on their health and security because their presence without travel documents and health certificates is a dangerous matter that threatens the security and stability of Libya.

Key informant working for a company hiring migrant workers

28 After which it is then presumed that the migration facilitator recovered the fee subsequently.

29 IOM & Euroasylum Libya (2014). Assessment of Priorities for the Development of Libya's Migration Policy: A Strategic Vision. Available at https://publications.iom.int/system/files/pdf/libya_rapid_assessment.pdf (accessed January 2024).

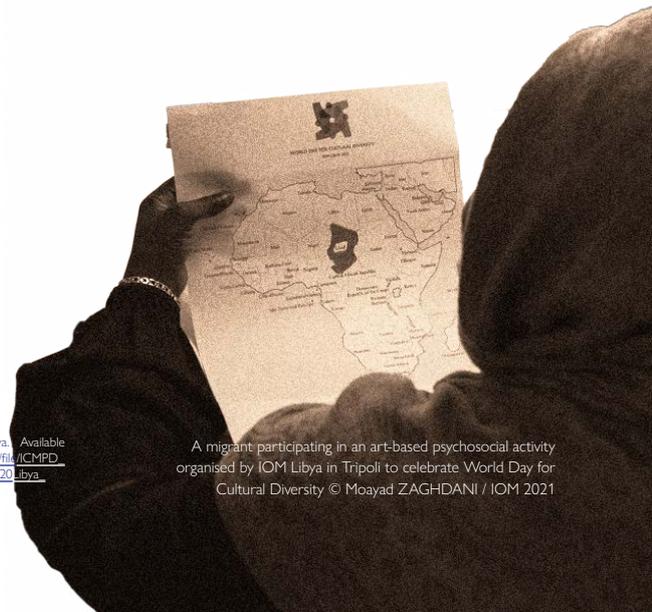
30 Ibid.

31 Ibid.

32 United Nations General Assembly (2023). Protection of the Labour and Human Rights of Migrant Workers. Available at <https://documents.un.org/api/symbol/access?i=N2320702&t=pdf> (accessed February 2024).

33 ICMPSD (2020). The Legal Guide for Foreigners in Libya. Available at <https://www.icmps.org/file/download/49405/file/ICMPD-The%2520Legal%2520Guide%2520for%2520Foreigners%2520in%2520Libya-EN.pdf> (accessed February 2024).

34 Ibid.



METHODOLOGY

DATA COLLECTION AND SURVEY DESIGN:

This study included two components: a literature review and individual interviews with both migrants and key informants.

The quantitative interviews were conducted with 4,381 migrants (4,146 males (95% of respondents) and 233 females (5% of respondents)³⁵ from 19 nationalities in 50 municipalities (out of 100) and 19 regions (out of 22) across Libya. The interviews were held between 13 November and 10 January 2024.

A minority of respondents were less than 20 (217 individuals or 5% of the total sample) or over the age of 60 (14 individuals or <1%). The majority of respondents were of working age (between 20 and 59) (4,150 individuals or 95%).

The questionnaire used for the individual interviews with migrants included questions on the process of obtaining travel documents (e.g. work permit and passport) and the challenges in obtaining them.

The 12 key informant interviews were held with officials from the embassies of Sudan, Chad, Niger, Nigeria, Mali, Ghana and Bangladesh, as well as four companies employing between 20 and 1,000 migrants (e.g. construction, manufacturing) and an INGO.

LIMITATIONS

Sampling method

Migrants in Libya are a highly heterogeneous group and their situation is dynamic. The face-to-face interviews took place mainly at work recruitment points (42%), workplaces (27%), collective sites of accommodation (20%), other urban locations such as markets (9%) and transit points along key migration routes (2%), which means that the results of the assessment are representative of migrants who frequent these public places. Migrants who may not be able to frequent these public places are less likely to have been included in the assessment.

While this (purposive) sampling approach limits the findings on migrant vulnerabilities from being fully statistically representative of the entire migrant population in Libya, it represents a large-scale assessment of migrants.

Sensitivity of the topic of regularization and possession of travel documents

The sensitivity of the information related to legal status in Libya may have led to under- or misreporting. The sensitive questions were developed in coordination with the field team who through their regular contact with migrants have a comprehensive understanding of the context on the ground and were able to provide guidance on the way questions can be asked to ensure that the data collected is as reliable and as accurate as possible.



³⁵ According to the latest DTM Libya data, 88 per cent of migrants in Libya are males and 12 per cent are females. Time constraints limited the team's ability to reach a sample with a sex breakdown that is in line with demographic of the migrant population in Libya.

RECOMMENDATIONS

The findings of this study confirm that lacking travel documents is a contributing and exacerbating factor driving vulnerability among migrants in Libya because it limits access to protection mechanisms and safety nets along migration routes and in countries of destination as well as because it increases migrants' reliance on migration facilitators.

This study showed that a lack of documentation can impair migrants' ability to secure (decent) work and access essential services— all of which in turn impact migrants' levels of vulnerability in Libya.

This study also found that migrants who do not possess legal documentation to live and work in Libya may be confronted with increased levels of vulnerability in Libya as they are more likely to be indebted, unemployed or employed in jobs that are more prone to abusive practices and that are more precarious.

The data points to migrants' experiences including whether they are able to obtain a work permit or a passport being strongly influenced by a range of factors including the conditions in the country of origin (e.g. ease of access to government-recognised ID), migration drivers (e.g. war and conflict hindering migrants' ability to obtain the necessary travel documents), migration intentions (e.g. those who do not intend to stay in Libya are less likely to possess a travel documents) and means of transportation used to reach Libya (e.g. those having traveled by air are more likely to possess travel documents).

Based on these findings, IOM Libya recommends the following:

Enabling safe and regular migration by leveraging labour migration to fill gaps in the Libyan labour market.

Developing, implementing and improving access to labour mobility schemes in migrants' country of origin, including providing regular migration pathways and

pre-departure orientation on safe migration initiatives could be beneficial for the Libyan economy by filling gaps in the labour market³⁶ while at the same time minimizing the protection risks that may arise from living and working in Libya without necessary travel documents. Efforts to regularise migrant workers who are already in Libya through continuous engagement³⁷ with embassies and Libyan authorities should be encouraged while also ensuring that migrants are able to renew their work permit free from employer sponsorship.

To do so, greater linkages between countries of origin and Libya are needed. An example of such collaboration is the “municipal card” that means Ghanaian citizens can work and move with greater ease. This initiative was developed through a collaboration between the Ghanaian embassy and the municipalities of Misrata and Benghazi. The embassy is also reportedly discussing the implementation of a similar initiative in other municipalities, including Tripoli and Azzawya.

Raise awareness of migrant workers' means of securing and renewing legal documents both in and outside of their country of origin and ensure that the entry criteria are realistic.

This may require the creation of incentives for both companies hiring migrant workers as well as (future) migrant workers themselves to acquire or renew their travel documents, by for example, minimising the amount of time migrants may need to forego working to renew their travel documents abroad, which could be done through the electronic issuance of visas.

A scheme to facilitate and organise the granting of visas electronically is planned to launch on 01 May 2024³⁸ for migrant

workers. Streamlining this process would also help decrease migrants' reliance on intermediaries (e.g. brokers, migration facilitators) who when unregulated may increase migrants' level of exposure to abusive and exploitative practices.

Enhance the oversight and monitoring of recruitment agencies, brokers, employers and other intermediaries.

This could be achieved through the implementation of a holistic and comprehensive recruitment policy including transparent and publicly accountable licensing systems for recruitment companies and ensuring the accessibility of confidential channels for migrant workers to report unsafe workplaces.

³⁶ Juillard H, Robalino D, Kitchingman-Roy D, Ossandon, M. and Charlot, C. (2021) Labour Market Assessment Libya. Available at https://libya.iom.int/sites/g/files/tmzbdj931/files/documents/20210811_LMA%20Collated%20Report%20ENG.pdf (accessed August 2023).

³⁷ IOM MENA (2023). IOM and Ministry of Labour in Libya Host Roundtable on Effective Labour Migration Governance. Available at <https://mena.iom.int/news/iom-and-ministry-labour-libya-host-roundtable-effective-labour-migration-governance> (accessed March 2024).

³⁸ Libya Herald (2024). E-Visas for Foreigners Launched - to Commence Thursday 21 March. Available at <https://libyaherald.com/2024/03/e-visas-for-foreigners-launched-to-commence-thursday-21-march/> (accessed April 2024).

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IOM's Displacement Tracking Matrix (DTM) tracks and monitors population movements in order to collate, analyze and share information to support the humanitarian community with the needed demographic baselines to coordinate evidence-based interventions.

To consult all DTM reports, datasets, static and interactive maps and dashboards, please visit:

IOM Libya

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