

Libya

EU engagement to date

The Commission has not engaged with Libyan authorities on readmission cooperation, due to the unstable political situation in the country and current risk of *refoulement* of Libyan nationals.

Cooperation on readmission

In 2019, 2 710 Libyan nationals staying illegally in the Member States were issued return decisions and 210 effectively returned to Libya resulting in **return rate** of 8%. Member States submitted 155 readmission requests to Libyan authorities, who issued 10 travel documents resulting in an **issuance rate** of 6%.

A total of 11 Member States reported having approached the authorities of Libya for readmission matters related to its nationals in 2019. However, some of them stressed that no effective return to Libya took place in the reported period, and the reported experience relates to preceding years. Four Member States flagged explicitly that Libya only accepted voluntary returns.

No Member State has a **bilateral agreement** with Libya.

Half of the engaging Member States covering three quarters of return decisions issued, assessed **cooperation on identification** with Libyan authorities as poor or very poor, three Member States as average, while two others as very good. ,

Four Member States confirmed that there is an established routine for the identification procedure, which in all of these cases is considered to be effectively implemented.

Valid or expired passports, are in principle accepted as evidence, while information extracted from VIS is not, and biometrics only for two Member States. Other identity documents were accepted from five Member States. Photocopies of documents are accepted in half of the Member States.

Consular interviews are, as a rule, required by the Libyan authorities, however they are not available by videoconference. Five Member States assessed their results positively, while two were dissatisfied. Only one Member State reported that the **issuance of travel documents** takes place in a timely manner. Four Member States replied negatively, while the remaining ones provided no explicit reply.

One Member State flagged restrictions to readmission imposed by Libya upon arrival.

No **charter flights** were used with Libya and four Member States indicated restrictions imposed on **scheduled flights** (visa for escort, no possibility for escort to reach the final destination).

Two Member States reported that the **overall cooperation on return and readmission** with Libya has improved while one assessed that it has deteriorated. Five considered it as stable, while others expressed no explicit opinion.

With a total of 2 710 Libyan nationals ordered to leave in 2019, Libya ranks 30th amongst visa-bound third countries whose nationals have been issued return decisions in the Member States. Overall, a third of Member States interacted with Libya – even though not necessarily in 2019 – and primarily for voluntary returns. There are currently few effective channels of cooperation established, due to the non-acceptance by Libya of forced returns. Processing of additional requests could be considered by Member States provided that conditions are met so that the principle of non-refoulement is respected. Cooperation could be improved by establishing the necessary cooperation channels for swift identification and issuance of travel documents.