

Committee on the Application of Standards

CAN/PV.4/Libya-C.29

Commission de l'application des normes

05.06.25

Comisión de Aplicación de Normas

113th Session, Geneva, 2025

113^e session, Genève, 2025113.^a reunión, Ginebra, 2025**Libye (ratification: 1969)**

Convention (n° 29) sur le travail forcé, 1930

Forced Labour Convention, 1930 (No. 29)

Convenio sobre el trabajo forzoso, 1930 (núm. 29)

Written information provided by the Government

The Government has provided the following written information as well as copies of the Council of Ministers Decision No. 227 of 2025 modifying the structure of the Ministry of Internal Affairs and approving certain provisions, Libyan Criminal Code of 28 November 1953 (extract), Act No. 5 of 27 September 2022 on combating cybercrime (extract), Decision No. 439 of 2023 establishing and delineating the functions of a committee to study the legal status of expatriate workers (extract), Act No. 19 of 28 January 2010 on combating illegal migration, Council of Ministers issued Decision No. 16 of 2024 establishing the functions of the Supreme Committee to follow up on illegal migration and borders, and the Bill of 2013 on combating human trafficking.

Libya joined the ILO in 1952 and ratified ILO Conventions, starting with Convention No. 29, with a view to incorporating international provisions in its national system and overcoming any obstacles to the achievement of a decent and secure working environment for workers, free from violence and stress.

It should be noted that in 2024, Libya was elected as a regular member of the Governing Body of the ILO, representing the African continent for the period 2024–2027, at the 112th Session of the International Labour Conference. Libya received 195 votes, which is indicative of the trust that it enjoys among the Members of the ILO and the extent of its commitment to the ILO Constitution and its Conventions and Recommendations.

In addition, its membership in the ILO Governing Body will allow Libya greater opportunity to participate in the formulation of international policies relating to labour and workers and strengthen cooperation with other countries in this field.

With regard to the observations made by the Committee of Experts, including that the United Nations Independent Fact-Finding Mission on Libya expressed deep concern in its final report of 3 March 2023 over the deteriorating human rights situation, and that illegal migrants were victims of violence in Libya, the report did not include the suffering endured by Libya in the context of the current instability and exceptional circumstances in the country. There can be no doubt that the situation has affected national, regional and, also, economic security, since the Libyan authorities have recorded some 5,187 offences committed by migrants over the past five years.

We are therefore unable to confirm or deny any figures, national or international, monitored through reports as they are not based on optimal reporting mechanisms. Any organization must base the reports that it prepares on facts and evidence and indicate the sources of the information contained therein, which the aforementioned report fails to do. The report should not be built on tales told by migrants, who failed to reach Europe and have been targeted for repatriation, in order to evade deportation or the enforcement of national laws.

In this context, it should be noted that the employment of irregular migrants inside Libya constitutes an offence under the provisions of the Labour Relations Act No. 12 of 28 October 2010, which provides for specific conditions of employment including the proper legal status of foreign workers. This is not the case for irregular migrants present on Libyan territory. In addition, they engage in economic activities in violation of the applicable legislation, which sets out clear legal conditions regulating the presence and employment of foreigners. This is what happens in the informal Libyan labour market, where they work in agriculture, construction and blacksmithing and various types of trade in order to make what they need to reach their country of destination. They also seek in the Libyan people the values of humanity imposed by custom, the true Islamic religion and the local legislation.

It should also be noted that the respect of Libya for international Conventions, in the fields of labour, human rights or in other fields, corresponds with the commitment of the organizations from which these Conventions emanate to take into consideration the spirit of Member States' national laws in terms of customs, traditions and religions. In any event, it is unacceptable to request any State to alter its national legislation in a manner incompatible with its sovereignty or national security.

Human trafficking organizations are international organizations that have turned Libya into a country of transit for migration to Europe, not a country of destination. Therefore, responsibility for action against this phenomenon does not fall to one party but must be assumed through joint action and genuine collective efforts, through which positive results in combating human trafficking and protecting victims can be achieved. Effective international cooperation is key to countering this phenomenon and achieving sustainable solutions.

In view of the above, the Government takes this opportunity to request the provision of substantive, technical and material ILO support in order to strengthen its capacities to combat human trafficking, arbitrary detention and forced labour. It recognizes that this assistance will contribute to improving the conditions of migrants and ensure the protection of their rights in application of the provisions of Convention No. 29.

It should be noted that the current political and security crisis in the country, as well as exploitation by international organized criminal gangs in order to commit human trafficking offences and organize illegal migration journeys to Europe, have constituted a major burden on Libya and have had an impact on the national economy, particularly in light of the political divide, the dual executive authorities, and the gap between the legislative and executive authorities, all of which have prevented the adoption of urgent practical and constitutional measures to address the issue.

Nevertheless, the Government adopted substantive measures to combat this offence, protect victims and hold accountable those involved in order to ensure the protection of migrants' rights. The legislature attached special importance to this issue. Act No. 19 of 28 January 2010 on combating illegal migration provides in article 1 that: "An illegal immigrant is anyone who enters Libyan territory or resides therein without permission or authorization from the competent authorities, for the purpose of settling therein or transiting to another country."

Article 4 of the same Act further provides for a penalty of imprisonment for a period not exceeding one year and a fine not exceeding 10,000 Libyan dinars for anyone who commits any of the offences established for the purpose of obtaining material or non-material benefit, directly or indirectly. The penalty is increased to imprisonment for a period of not less than five years if the perpetrator belongs to an organized criminal gang for the smuggling of migrants.

Article 43 of Act No. 5 of 27 September 2022 on combating cybercrime provides for a penalty of imprisonment for anyone who creates a website or publishes information on the internet or any electronic system for the purpose of human trafficking or its facilitation or handling.

The Libyan Criminal Code of 28 November 1953, in article 418, establishes the trafficking of women as an offence and, in article 419, establishes a penalty for anyone who facilitates the trafficking of women by any means.

Article 426 on dealing and trafficking in slaves further provides as follows:

Anyone who deals in or traffics slaves or disposes in any manner of a person in a situation of slavery or a person in a slavery-like situation shall be liable to a penalty of imprisonment for a period not exceeding ten years.

The penalty shall be imprisonment from three to twelve years for anyone who disposes of an enslaved person or a person in a slavery-like situation, or who delivers, possesses, acquires or keeps a person in that situation.

Article 428 on abduction provides that: "Anyone who abducts, detains, imprisons or deprives someone by any means of his personal freedom by force, threat or deceit shall be liable to a penalty of imprisonment for a period not exceeding five years."

The measures adopted by the authorities include the issuance by the Council of Ministers in the Government of National Unity of Decision No. 439 of 2023 establishing and delineating the functions of a committee to study the legal status of expatriate workers, address the issue of their presence in the country and grant them a period in which to regularize their situation in accordance with the regulations and legislation in force.

In the same vein, the Council of Ministers issued Decision No. 16 of 2024 establishing and delineating the functions of the Supreme Committee to follow up on illegal migration. A national strategy was formulated to address the issue, control borders, merge efforts in this regard in coordination with the relevant authorities to establish a consolidated database and communicate with international and regional bodies to clarify the role of the Libyan Government in fulfilling its obligations with regard to action against illegal migration, border control and combating human trafficking.

In addition, the Council of Ministers of the Government of National Unity issued Decision No. 227 of 2025 modifying the structure of the Ministry of Internal Affairs and approving certain provisions. Article 2 of the decision provides for "the dissolution of the Directorate for Combating Illegal Migration and the transfer of its powers to the Ministry of Internal Affairs". The decision came in response to international and national observations concerning abuses committed in some shelters under the authority of the Directorate and as a result of the Libyan Government's desire to strengthen institutional oversight, instil the principles of transparency and accountability, strengthen governance, improve the situation of migrants and reorganize and strengthen the institutional framework concerned with migration management, in order to ensure that all shelters and measures taken regarding migrants comply with national and international human rights standards, under the direct supervision of the Ministry of Internal Affairs, which is the authority responsible for security and law enforcement.

This step forms part of the Government's efforts to curb violations, encourage the humane treatment of migrants and ensure that migration policies are subject to continuous review and evaluation, which reflects the practical commitment of Libya to improving the situation of migrants and protecting them from exploitation and potential violations.

In accordance with the recommended measures, the Government drafted a Bill on human trafficking with the aim of strengthening the legal framework to combat this offence and making available adequate preventive and protective measures. The provisions of the Bill are based on the League of Arab States' model law on combating human trafficking, which, in turn, is derived from the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Trafficking in Persons Protocol), to which it acceded in 2004 and which outlines optimal standards for the protection of human rights.

In this connection, the authorities confirm their awareness of the importance of this instrument for the protection of migrants' rights and that the provisions thereof are fully implemented and incorporated into national legislation. Furthermore, slavery in all its forms has been criminalized in law since 1953 through the provisions of the Criminal Code, which criminalize slavery and servitude.

Having acceded to the Organized Crime Convention in 2000, Libya is working towards the establishment of mechanisms for its application at the national level and to deliver those involved in organized crime to justice. This endeavour is reflected in the concerted efforts and support of the security services to counter human trafficking. In this respect, persons involved in human trafficking offences have been sentenced by the courts, which demonstrates that the Criminal Code is enforced regarding this matter and that the Government is serious about holding accountable those responsible for these offences. The security services and the judiciary continue to work to hold perpetrators accountable and ensure that they do not go unpunished.

In addition, the Libyan security services and the judiciary conduct thorough investigations into cases of human trafficking, arbitrary detention and forced labour, prosecute alleged perpetrators and bring them to justice. In this context, the Criminal Court of Tripoli completed investigation procedures into the activities of three persons accused of intentionally committing human trafficking. The Court convicted the defendants and sentenced the first to life imprisonment and the second and third to 20 years' imprisonment.

Furthermore, the authorities adopted a number of measures aimed at improving the situation of irregular migrants and reducing their vulnerability to exploitation and violations. The most notable of these include the closure of a number of migrant holding centres, including the premises at Ghawt al-Sha'al, Bi'r al-Ghanam, Al-Nasr al-Zawiyah, Al-'Assah and Tariq al-Matar.

The fight against human trafficking is one of the main long- and short-term objectives pursued by the Libyan authorities and security services; every means has been deployed to eliminate terrorism and organized crime and strengthen land and sea border security, from the far north to the far south of the country.

The security services carried out specific operations targeting dens of mercenaries and human smuggling rings and were able to seize many such dens. One of these operations was a raid carried out by the Joint Security Committee targeting dens of human smugglers, alcohol and drug dealers in the Umm al-Aranib region. In view of the positive results achieved by these

operations, efforts to pursue persons acting outside the law and enhance the prestige of the State in various regions continue.

From the far south to the far east of the country, Imsa'id Bi'r al-Ashhab Joint Security Operations Room agents raided several illegal migrant smuggling dens, apprehended a number of people smugglers and some 570 illegal migrants of various nationalities and also arrested several of the smugglers running these dens.

In a high-precision security operation, the Libyan security forces successfully dismantled one of the most dangerous migrant smuggling networks in the town of Al-Shuwayrif in south-western Libya and the authorities were able to liberate hundreds of migrants living in appalling conditions in secret detention dens. The Office of the Public Prosecutor initiated judicial proceedings against this network, following information received concerning suspicious activity by a criminal cell. Illegal migration and human trafficking operations are highly organized; through intensive investigations, the security forces were able to identify forced detention sites and delivered a strong blow to this gang by arresting one of the leaders of the cell and ten cell members who were co-perpetrators in these offences.

The Government, recognizing the importance of international cooperation in tackling human trafficking and forced labour, calls upon the ILO to provide substantive and technical support to the Libyan authorities concerned and to strengthen avenues of collaboration with countries of origin, transit and destination, so that it can benefit from ILO expertise and capabilities and continue to work towards the effective implementation of the Convention.

Despite the efforts expended, the lack of political and institutional stability and security hinders the progress of the executive branch in combating human trafficking, procedures for the presentation and ratification of Conventions and the enactment of laws, including the Human Trafficking Bill, and the promulgation thereof by the competent legislative authority, which constitutes a real challenge to the efforts of the Government in this field. We therefore hope for and look forward to the support of the ILO to overcome these obstacles, produced by the political crisis, in order to update the legal framework necessary to eliminate this phenomenon.

In conclusion, we trust that the Committee will understand the prevailing situation in Libya and reaffirm once again our commitment to international standards and our desire to cooperate with the ILO and our international partners to combat these serious phenomena, achieve justice and preserve human dignity.

Discussion by the Committee

Interprétation de l'arabe: **Président** – J'ai à présent l'honneur d'inviter l'honorable représentant du gouvernement de la Libye, Monsieur le Directeur de l'Institut de la culture du travail, à prendre la parole.

Interpretation from Arabic: **Government representative** – I represent the Government of National Unity of Libya and it is a pleasure for me to speak to you today in order to discuss the observations of the Committee of Experts that can be found in the report concerning the application of the Conventions.

Libya joined the ILO in 1952 and we have ratified most of the fundamental labour Conventions, including Convention No. 29. This was on 13 June 1961. This ratification demonstrates the significance my country attaches to integrating international labour standards into our national system in order to provide for decent work and a workplace free of stress and harassment.

Furthermore, the Libyan Government was elected in 2024 as a titular member of the Governing Body at the ILO representing the African continent for 2024 to 2027.

This demonstrates the confidence that my country enjoys among members of the Organization and also demonstrates how we value both this Organization and its Conventions.

Now, the fact that we are a member of the ILO Governing Body will be an important opportunity for my country when it comes to drawing up labour policies at an international level and also with regard to fostering cooperation with other countries.

Concerning the Committee of Experts' comments, we would like to point out that the country is facing criminal cross-border gangs, and a security and political crisis in the country, in addition to our economic difficulties. Moreover, there is a double executive authority in the country and a division between the executive and the legislative powers.

I would like to point out that groups involved in trafficking are international organizations, and they have made our country a transit country rather than a destination country. For this reason, the responsibility for combating this phenomenon doesn't only lie solely with Libya; rather, it is a responsibility that should be shouldered in a joint manner in order to achieve positive results when it comes to combating the crime of human trafficking, providing protection for victims and implementing international labour standards.

The Government has undertaken substantial measures to combat this crime, protect victims and identify the perpetrators in order to protect the rights of migrants. The Government has addressed this issue and banned forced labour and trafficking in persons in sections 37 and 39 of Chapter 8 of the Labour Relations Act No. 12 of 2010. Moreover, Act No. 19 of 28 January 2010 on combating illegal migration, in its sections 4 to 19, imposes sanctions on those who are involved in illegal migration. It further criminalizes any violation of these provisions, categorizing such acts as criminal offences.

Likewise, section 43 of Act No. 5 of 27 September 2022 on combating cybercrime provides for a penalty of imprisonment for anyone who creates a website or spreads information on the internet or any electronic system for the purpose of human trafficking or its facilitation or handling. Furthermore, the Government issued Decision No. 439 of 2023 establishing a Committee tasked with examining the legal situation of migrant workers and also to look at their status and their presence in accordance with the relevant legislation. In addition, Decision No. 16 of 2024 established a dedicated Committee to address issues related to illegal and cross-border migration.

A National Strategy was also formulated to look at this problem working together with the relevant authorities in order to establish a unique database and communicate with both international and national authorities to explain the role of the Government in fighting these crimes and human trafficking.

The Government's Council of Ministers also passed Decision No. 227 of 2025 modifying the structure of the Ministry of Internal Affairs. Section 2 of the Decision provides for the dissolution of the body combating illegal migration and the transfer of its functions to the Ministry of Interior.

Regarding the centres that receive migrants, the Government is ensuring institutional monitoring and promoting transparency throughout legal procedures. Guarantees are provided so that the reception centres are in conformity with international and national human rights. This is an important part of the efforts deployed by the State in order to improve the treatment of migrants in the country and to guarantee that migration policies are reviewed so

as to reflect Libya's commitment to improving the situation of migrants and to protect migrants from potential abuse.

The Government has also prepared a draft legislation on combating human trafficking which provides for preventative and protection measures. This draft is based on the Model Law on combating human trafficking issued by the League of Arab States and it also draws inspiration from the international instruments on combating human trafficking, such as the Palermo Protocol. The Government acceded to the Protocol in 2004.

Since 1953, the Criminal Code has classified engagement in slavery as a criminal offence. The Government has put in place mechanisms to prosecute individuals involved in these types of crimes. Judicial rulings have been taken and published against perpetrators of human trafficking. Likewise, the judiciary is conducting investigations into cases of arbitrary detention, human trafficking and forced labour. Alleged perpetrators are brought to justice. For example, in Tripoli investigations were open against three individuals accused of being engaged in human trafficking in a premeditated manner. The court found them guilty: one individual was sentenced to life imprisonment, while the second and third received prison sentences of 20 years each.

Furthermore, the Government has undertaken a range of measures aimed at improving the situation of irregular migrants. Among these measures, several detention centres for migrants have been closed, including the building in Al-Shahal, in the region of Al-Khananum and in the town of Zawiya, and along the airport road.

Combatting the crime of human trafficking is a key objective for the Government and for the law enforcement authorities in the short, medium and long term.

Therefore, we have deployed all efforts in order to combat terrorism and organized crime and to step up the security at our borders both in terms of maritime and land transit. However, despite all of our best efforts, ongoing political and institutional instability in the country hinder them. This instability affects both executive and legislative actions, particularly in relation to the implementation of international labour standards, the fight against human trafficking, the adoption of relevant laws, and the ratification of international Conventions.

All these factors represent significant challenges, despite all of the Government's efforts. For this reason, ILO support is key to help overcome the obstacles arising from the political crisis in the country. The Government would like to reiterate its determination to respect international standards and continue collaborating with the ILO and other international partners to promote social justice and protect human dignity.

Employer members – The Employer members have reviewed the case concerning Libya's application of the Convention with interest and concern. Libya ratified the Convention in 1961. This case has been discussed in the Committee in 1992, though on other matters. There have been seven observations issued by the Committee of Experts on this case, namely in 1990, 1991, 1992, 2016, 2018, 2022, and 2024. The most recent 2024 observations are alarming.

These observations include by way of example: that the Government provided no information on any measures taken to protect migrant workers from forced labour, including trafficking in persons; that various UN reports indicate ongoing and systematic enslavement, sexual violence and abuse of migrants, especially in detention centres, with evidence of involvement and collusion by state officials and militia-linked traffickers; that women and girls in detention are particularly vulnerable to sexual violence and exploitation and are subjected to systematic and large-scale violations of their fundamental human rights, including sexual exploitation, forced prostitution, trafficking and forced labour; that migrants were arbitrarily

detained and subjected to forced labour practices, including trafficking and sexual slavery; and widespread complicity by the Libyan authorities. The Committee of Experts further requested that the Government take urgent and systematic action to end these practices, protect victims, investigate crimes and prosecute the perpetrators.

We are here at least in part because the Government has not sufficiently heeded requests and because the grave concerns reported continue to this day, though we are encouraged by the Government's commitment to progress, and we are here in an effort to further and facilitate that progress.

As this Committee well knows, double footnoted cases require special attention and demand the very best of us. This is one such case and the Employers' group calls on the Government and our Worker colleagues to work collaboratively to achieve tangible progress.

To be clear, the Employer members wish to stress their deep commitment towards the eradication of forced labour, trafficking in persons and related abuses. We stand united in our belief that there should be no place for these abuses in the world of work. We further stand ready in our commitment to exercise any authority we may have as a social partner to assist in the eradication of these abuses, whether in Libya or elsewhere in our world.

To provide further context, we know that Libya is a transit country for migrants which in turn creates very complex social and economic challenges for Libya as a country. We also note that migrants present a uniquely vulnerable population for labour and human rights violations, particularly for trafficking in persons and forced labour.

Almost ten years ago in 2016, the United Nations Support Mission in Libya issued a report that, by way of example, recounted that migrants were accosted by armed men believed to be members of the Libyan Coast Guard and then subjected to arbitrary detention, sexual exploitation and forced labour. These migrants were reportedly forced to work in Libya's agricultural, construction and domestic industries.

The Employer members further note that the UN Security Council, through resolution 2388 of 2017, opined that these reported abuses supported organized crime and terrorist networks in Libya. These reports have regrettably continued. The United Nations Independent Fact-Finding Mission on Libya, in its final report of 3 March 2023, reported with deep concern that since 2016, migrants across Libya were the victims of enslavement and sexual violence as part of broader trafficking, bribery and arbitrary detention schemes. This Mission found reasonable grounds to believe that migrants were enslaved in detention centres run by the Government. The Mission further reported sexual slavery that was committed in the trafficking hubs of Sabratha and Bani Waleed. The Mission found evidence to suggest that Government agencies and agents colluded and engaged in these abuses. All levels of the Government were implicated and the Directorate for Combating Illegal Migration, the Libyan Coast Guard and the Stability Support Apparatus, which was established in January 2021 by the Presidential Council and made up of an alliance of armed groups, were specifically noted as participating in these abuses.

Similar accounts were described in the 2023 report of the United Nations Special Rapporteur on violence against women and girls and in the United Nations Support Mission in Libya's report of 8 August 2024, which described persistent patterns of abuse, exploitation, forced labour, extortion, torture and other forms of ill treatment against migrants and refugees, in particular those in detention. In this report, the UN Secretary-General urged the Libyan authorities to adopt a comprehensive legal and policy framework on migration that prioritizes the human rights, dignity and well-being of migrants, refugees and asylum seekers

including the exploration of non-custodial measures as alternatives to detention and increased protection from arbitrary detention, forced labour, slavery and trafficking in persons.

The Government, in its written information, has pointed to the current instability and the exceptional circumstances in the country and the region more broadly including Libya's limited economic resources and the need for global cooperation to combat human trafficking and its associated challenges. We are encouraged to read the Government's stated commitment to combating human trafficking, arbitrary detention and forced labour, as well as its request for technical assistance from the ILO to support its capacity in this regard.

At the same time, it is important to recall that the Convention is a fundamental Convention. Among other things, member countries that have ratified the Convention, including Libya, commit to undertake measures to suppress the use of forced labour or compulsory labour in all its forms within the shortest period possible. They also commit to ensuring that the illegal extraction of forced labour and compulsory labour is punishable as a penal offence, and to ensure that penalties imposed by law are really adequate and strictly enforced.

The Employer members share the Committee of Experts' concerns that these mandates are not being sufficiently heeded by the Government. The Employer members' comments should not be taken as minimizing that Libya faces a complex series of political, institutional and security difficulties. Nor do we minimize that these difficulties can make the abuses reported even harder to investigate or to remediate.

Yet the facilitation of forced labour and trafficking in persons presents serious concern for workers, employers and civil society more broadly. It is thus worthy of this Committee's full attention and cooperation. To this end the Employer members prevail on the Government to take the following steps: to acknowledge the scope and gravity of these abuses and collaborate with this Committee, the ILO and the social partners.

It is the view of the Employer members that Libya needs both technical and other material assistance and we call on them to work with legitimate, competent and resource groups to begin building a technical road map for eradicating these abuses on their own complicity therewith.

We welcome the Government's efforts to come to this process in good faith to achieve progress. We further recall and reiterate that the UN Secretary-General is urging Libya to adopt a comprehensive legal and policy framework on migration that prioritizes human rights and dignity and well-being of migrants, refugees and asylum seekers. We look forward to hearing the views of the other groups on this case.

Worker members – We are discussing Libya under Convention No. 29 on forced labour, a fundamental Convention of the ILO. The Committee of Experts has raised serious concerns over several years, and this year Libya was double footnoted, underscoring the gravity of the non-compliance. The Committee of Experts noted the dehumanizing conditions faced by migrant workers who are arbitrarily detained and subjected to forced labour and trafficking. These concerns fall under Articles 1(1), 2(1) and 25 of the Convention, yet the Government has failed to provide any meaningful response or action. It has not reported any measures taken to prevent trafficking or to protect migrant workers from forced labour. This inaction is deeply regrettable.

The United Nations Independent Fact-finding Mission on Libya, in its final report on 3 March 2023, confirmed the country's deteriorating human rights situation. It found that since 2016 migrants across Libya have been victims of enslavement and sexual violence linked to

arbitrary detention, trafficking and smuggling. Migrants were enslaved in detention centres operated by the Directorate for Combating Illegal Migration, an official body under the Ministry of Interior. These are not rogue operations; these are facilities under State control. The same report found that sexual slavery was also being committed in known trafficking hubs.

The complicity of State actors in these crimes is undeniable. The Mission documented systematic collusion between State officials and traffickers, often working with militia, for personal financial gain. This is not just forced labour. It is a criminal enterprise built on slavery, exploitation and impunity.

The UN Special Rapporteur on violence against women and girls, in her May 2023 report, reinforces this picture. She described the rape and sexual violence against migrant and refugee women and girls, especially in detention. The lack of female guards, oversight or independent monitoring creates conditions where women and girls are routinely exploited. There are no safeguards. There is no justice. Victims of these atrocities including abduction for ransom, forced prosecution, trafficking and sexual slavery have no recourse. Impunity reigns.

The most recent 2024 Report of the UN Secretary-General on the UN Support Mission in Libya confirms that the situation is not improving. It urges Libyan authorities to adopt a comprehensive legal and policy framework on migration, one that upholds the human rights, that upholds dignity and well-being of migrants and refugees. The UN Secretary-General calls for urgent reforms on decriminalizing irregular entry and stay, on introducing alternatives to detention and protecting people from forced labour, trafficking and slavery, but nothing has been done.

We deplore the continued violations: migrants being intercepted arbitrarily detained, enslaved in State-run detention centres, women and girls subjected to rape and sexual slavery, the collusion between state actors and traffickers and the total absence of justice or redress. This situation constitutes a gross and systematic violation of the Convention and the intervention of my colleagues will give further examples in this regard.

Government member, Poland – I have the honour to speak on behalf of the **European Union (EU) and its Member States**. The candidate countries, **North Macedonia, Montenegro, Albania, Ukraine, Republic of Moldova, Bosnia and Herzegovina**, the countries of the European **Free Trade Association (EFTA)**, **Iceland and Norway**, members of the European Economic Area, align themselves with this statement.

The EU and its Member States are committed to the promotion, protection, respect and fulfilment of human rights, including labour rights and abolition of forced and compulsory labour. We support the ILO's supervisory system in its crucial role of promoting and supervising the application of ratified standards. We note with regret the observations of the Committee of Experts concerning the lack of information provided by the Government, particularly in relation to measures taken to protect migrant workers from forced labour, prevent trafficking in person and ensure accountability. We remain deeply concerned by the Committee of Experts findings regarding the continued perpetration of trafficking, arbitrary detention, forced labour and sexual exploitation of migrants and refugees with near total impunity for the perpetrators. We are also gravely concerned by the climate of impunity for rape and other sexual violence against migrant women and girls.

We support the Committee of Experts' calls for urgent and systematic action to end these widespread human rights violations, to provide immediate protection and assistance to victims and to adopt and implement the draft law on combating trafficking in person.

We also note with particular concern the documented complicity of State officials, local authorities and institutions, including the former Directorate for Combating Illegal Migration and the Libyan Coast Guard, in the perpetration of these abuses or in collusion with traffickers and armed groups.

We urge the Government to ensure thorough and independent investigations to prosecute those responsible and to impose sufficiently dissuasive sanctions in line with the obligations under the Convention. We recall the importance of ensuring that all victims have access to protection, assistance and effective remedies including voluntary repatriation and reintegration where appropriate.

With regard to the Abolition of Forced Labour Convention, 1957 (No. 105), we note with concern the observations of the Committee of Experts concerning the use of imprisonment involving compulsory labour as a penalty for expressing political views or opinions. We urge the Government to take the necessary legislative steps to repeal or amend the relevant provisions of the Publication Act, the Penal Code and the Anti-Cyber Crime Law to bring them into full conformity with Convention No. 105.

While acknowledging the complex political institutional and security context in Libya, we recall that such circumstances do not absolve the Government from its obligations under international labour standards, nor justify the ongoing grave and widespread human rights violations reported. Reforms and progress, as well as transparency and accountability, are expected from the Government, particularly with regard to the creation of the General Administration for Combating Illegal Migration as a successor organization of the Directorate for Combating Illegal Migration.

The EU and its Member States encourage the Government to intensify its cooperation with the ILO and to engage meaningfully with social partners and the international community. We will continue to follow the situation closely and remain ready to support efforts aimed at ensuring compliance with the international labour standards and upholding the rights and dignity of all individuals.

Membre gouvernemental, Suisse – La Suisse soutient la déclaration faite par l'UE et souhaite faire part des points suivants. La Suisse est vivement préoccupée par les conclusions de nombreux rapports des Nations Unies faisant état d'une détérioration alarmante de la situation des droits humains en Libye, notamment pour les migrants et les réfugiés. Nombre de migrants sont interceptés sur leur parcours migratoire par des passeurs, trafiquants, milices armées et autres acteurs du crime organisé, puis détenus arbitrairement afin d'être soumis au travail forcé, à l'esclavage – y compris sexuel – et à la traite d'êtres humains. Les migrants et les réfugiés détenus doivent en outre travailler dans des conditions inhumaines comprenant des formes de mauvais traitements et des actes de torture.

La Suisse condamne avec la plus grande fermeté ces actes qui constituent des violations graves de la convention. Il est d'autant plus alarmant de constater qu'il existe des soupçons fondés quant à la participation active des autorités libyennes dans les réseaux d'exploitation et de traite d'êtres humains.

Les victimes – particulièrement les filles et les femmes migrantes et réfugiées – n'ont aucun accès à la justice et encore moins à des mécanismes de réparation. En outre, les auteurs de ces actes illégaux et inhumains jouissent d'un climat d'impunité quasi total et ne sont donc que rarement poursuivis en justice. La Suisse rappelle au gouvernement que, en vertu de l'article 25 de la convention, des sanctions pénales efficaces doivent être prises et strictement appliquées à l'encontre de quiconque ayant imposé du travail forcé.

Tout en reconnaissant la complexité du contexte politique et sécuritaire en Libye, le gouvernement suisse appelle – face à l'ampleur et la gravité du problème – le gouvernement à prendre instamment toutes les mesures nécessaires pour mettre fin aux pratiques systématiques et organisées – y compris au sein de l'appareil étatique – de détention arbitraire et d'exploitation forcée des migrants et réfugiés. Le gouvernement suisse appelle également le gouvernement à établir un cadre législatif et juridique protégeant efficacement les victimes et sanctionnant les auteurs, y compris les fonctionnaires. À cet égard, la Suisse exprime l'espoir que le projet de loi sur la lutte contre la traite des êtres humains sera rapidement adopté et mis en œuvre concrètement par les autorités. Le gouvernement suisse encourage également le gouvernement à renforcer sa coopération avec le BIT.

Membre employeuse, Algérie – La situation des femmes et des hommes, qui est décrite dans le rapport de la mission indépendante d'établissements des faits des Nations Unies, et reprise dans le rapport de la commission d'experts, donne véritablement le frisson. Ces atteintes graves aux droits de l'homme, et bien évidemment des femmes aussi, sont indignes et inacceptables. L'Algérie et la Libye sont des pays voisins, nous partageons 1 000 km de frontière et nous nous connaissons plutôt bien. En tant qu'organisation patronale nous avons des contacts avec nos partenaires libyens, et à leur contact nous avons plutôt eu l'impression qu'il y a une ferme volonté de leur part de restructurer leur sphère économique et d'améliorer les conditions de travail de leurs travailleurs réguliers. Cependant, et nous l'avons entendu à plusieurs reprises, ils sont confrontés à des défis sécuritaires importants engendrés par une criminalité transfrontalière qui pénalise tout essor économique, tout apaisement social et qui prend en otage la population, les travailleurs, les employeurs et les migrants. Ces mêmes partenaires nous disent que leur gouvernement essaye de prendre toutes les mesures adéquates pour améliorer la situation, et qu'il y a une véritable volonté de leur État à se doter de mécanismes concrets. Malheureusement, l'instabilité régnante fragilise, et si j'ai bien compris le représentant du gouvernement, paralyse toutes les institutions et rend encore plus difficile la mise en œuvre de mécanismes de correction viables et pérennes.

Voilà pourquoi je souscris au souhait du groupe employeur d'apporter un appui technique à la Libye, pour assurer un accompagnement concret afin de permettre le renforcement, dans des délais raisonnables, des capacités institutionnelles en matière de lutte contre le travail forcé. Je suis persuadée que la Libye, qui ne rêve que de stabilité et de progrès, s'emparera de ce soutien technique avec volontarisme et dynamisme.

Worker member, Italy – I speak on behalf of the three Italian confederations: the Italian Confederation of Labour (CGIL), the Italian Confederation of Trade Unions (CISL) and the Italian Labour Union (UIL). Since 2017, the year of the bilateral agreement between Italy and Libya was first signed, our organizations have consistently called for the revocation of the memorandum while denouncing the broader practice of externalizing border control. The agreement entrusts the Libyan Coast Guard, particularly in Tripoli, with patrolling the central Mediterranean. This arrangement includes the provision of patrol vessels, a maritime coordination centre and training activities, initiatives that are financed with EU funds.

Unfortunately, since then, and over the course of all these years, thousands of vulnerable people, men, women, and children have been intercepted at sea and forcibly returned to Libya where they face arbitrary detention, torture, cruel, inhuman and degrading treatment, rape, forced labour, and even killings.

The report of the Committee of the Experts speaks clearly. The UN Fact-Independent Finding Mission on Libya found reasonable grounds to believe that migrants have been subjected to enslavement in detention centres managed by the Directorate for Combating

Illegal Migration. The evidence strongly suggests that officials of Libyan state institutions, most notably the Directorate for Combating Illegal Immigration, the Libyan Coast Guards and the Stability Support Apparatus, have been complicit at all levels. Indeed, the International Criminal Court has issued an arrest warrant for the Commander of the Libyan judicial police for the murder of 34 detainees and the rape of 22 others, including a 5-year-old child.

The UN Independent Fact-Finding Mission on Libya, the UN Support Mission in Libya and the UN Human Rights Office reported that male detainees were forced to carry out cleaning and maintenance tasks under the threat of violence in Ain Zara detention centre; Al-Mabani, (Tripoli Gathering and Return Centre); in Bani Walid Detention Camp, migrants were reportedly forced to work in construction and maintenance under coercive and violent conditions.

We reiterate our demand for an immediate revocation of the bilateral Memorandum between Italy and Libya. Any agreement, at this time, risks playing a direct role in facilitating and perpetuating forced labour and, therefore, constitutes a grave violation of the Convention.

Interpretation from Arabic: **Government member, Algeria** – The Algerian delegation listened attentively to the intervention of the Distinguished Representative of Libya regarding the efforts made by the Government to combat forced labour and the various circumstances surrounding it. The Algerian delegation commends the strategy prepared in this area and the mechanisms put in place by Libya in order to curb this phenomenon. Algeria also appreciates the legal and institutional reforms adopted by Libya and the tightening of penalties for crimes related to human trafficking and cybercrimes that contribute to the exacerbation of this phenomenon of forced labour.

Accordingly, Algeria supports the Libyan State's request to have the necessary technical support by the ILO to enhance its capacities to combat human trafficking and forced labour. Algeria also appreciates Libya's commitment to international labour standards and calls on the ILO to accompany the country in strengthening its capacities to combat forced labour.

Employer member, United States of America – We are taking good note of the concerns raised in this discussion and wish to share our further concerns about the situation in Libya. Although the context of Libya's political and governance instability remains a key consideration, violations and abuses must be acknowledged and recorded at the very least and certainly in this Committee. Our sincere hope, however, is that we can go further and use this platform to impact some positive change.

To that end, and as the Government has noted today, Libya has ratified the 2000 UN Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. The Government has thereafter, and nonetheless, failed to abide by this Protocol. Worse, the Government has been reported to be materially engaged and complicit through official Libyan Government agencies in the very same grave abuses that the Convention and the Palermo Protocol were designed to curb.

The United States publishes an annual Trafficking in Persons Report. It contains a wealth of information on these issues on a country-specific basis and it addresses reported abuses in government efforts, along with relevant political and other context. Those that are seeking further information on the situation in Libya or other countries should access this report. Libya has been classified as a "special case" for the last nine years given the systemic issues that persist in that country.

As the 2024 Trafficking in Persons Report has noted, human traffickers exploit domestic and foreign victims in Libya. Migrants in Libya are particularly vulnerable to sex and labour trafficking, including those seeking employment in Libya or moving through Libya en route to

Europe. As of December 2023, international organizations estimated that there were at least 706,369 migrants and refugees from more than 44 nationalities in Libya.

In 2022, an international organization reported cases of traffickers compelling migrant boys to drive boats to Europe where they were then detained to facilitate migrant smuggling.

In addition, several credible sources continue to report that an unknown number of migrants are held in criminal prisons that are affiliated with, by way of example, the Libyan Ministry of Justice. According to international observers, Libyan detention operators also force migrants to serve armed groups to cook and clean, to transport weapons and other materials. In some cases, detained migrants are forced into sexual slavery in exchange for basic necessities or they are released from prison.

There are so many other awful reports. It is my sincere hope that shining a further light on these issues will help make a difference in Libya.

Interpretation from Arabic: **Worker member, Bahrain** – I deliver the statement on behalf of the General Federation of Bahrain Trade Union. The Convention lays the groundwork for decent work and aims to preserve human dignity based on a principle long championed by the ILO that: “labour is not a commodity”.

Today in Libya, workers of all categories are subjected to numerous violations, particularly in their right to receive wages in return for work. In many cases, we have been told that workers are forced to work for extended periods without pay. The precarious situation in the country has contributed to the absence of a genuine judicial mechanism to enable workers to file complaints and obtain their rights.

We, at the General Federation of Bahrain Trade Unions, express our solidarity with both national and migrant workers in Libya. We call on the ILO to support the tripartite constituents in Libya through a genuine and true tripartite dialogue to implement all provisions of the Convention and to address all violations and to establish an effective complaints mechanism to guarantee the work of all workers.

Interpretation from Arabic: **Government member, Egypt** – We have taken note of the measures taken by the Government of National Unity with regards to the implementation of the Convention, and commend the efforts made by the Government to achieve full compliance with the provisions of the Convention, in particular in response to the observations of the Committee of Experts. We have noted with great interest the progress made by the Government of National Unity in improving the human rights situation and combating impunity.

The Government is sparing no effort to ensure that they fulfil their international commitments in spite of the difficulties of the transitional period and the political and institutional divisions that are affecting the country. The Government of National Unity has made every endeavour to ensure its compliance with international labour standards through its national legislation, and has affirmed that slavery and forced labour are prohibited crimes under the Penal Code.

Libyan national law also prohibits human trafficking, kidnapping and enforced disappearance, and several measures have been taken to regulate and legalize the status of migrants in accordance with national regulations. To show its commitment in fulfilling its international and national obligations, and in response to local and international criticism of the conduct of the Directorate for Combating Illegal Migration, the Government has recently issued a resolution to dissolve the aforementioned Directorate.

Through its accession to the Convention against Transnational Organized Crime, the Government is trying to integrate international standards into national laws and consolidate the efforts of security agencies to support the fight against human trafficking.

The Egyptian delegation expresses its appreciation for Libya's commitment to fulfilling its international obligations and promoting compliance with international labour standards. We commend the progress made and the legislative reforms undertaken by the Government of National Unity to achieve compliance with the Convention and hope that this will be taken into account by the Committee in its conclusions.

Membre employeur, République Démocratique du Congo – Nous souscrivons aux observations faites par la commission d'experts qu'il existe une réelle inquiétude du fait qu'il n'est pas démontré avec suffisance que le gouvernement fournit des informations sur les mesures prises pour protéger les travailleurs migrants contre le travail forcé, y compris la traite des personnes. En effet, au mépris de l'article 1, paragraphe 1, et de l'article 25, de la convention, il y a certes dans ce pays des préoccupations majeures en ce sens, que voici:

- les migrants sont réduits en esclavage, il y a travail forcé, réduction de ces migrants en esclavage, incarcération, trafic des êtres humains, qui gèrent d'importants revenus au profit des tiers;
- la détérioration de la situation des droits de l'homme dans le pays.

Cela se fait de manière incessante, systématique et généralisée. La mission indépendante des Nations Unies (MANU) en a fait suffisamment écho. Nous pouvons affirmer qu'il règne un climat d'impunité, il n'y a même pas de mécanisme de réparation à l'égard de ces victimes qui se comptent en grand nombre.

En conclusion, nous pensons sérieusement qu'il y a nécessité d'avoir un cadre juridique et politique global mettant au centre la promotion des droits humains, luttant, entre autres, contre le travail forcé dans la lettre et l'esprit de l'article 25 de la convention, qui prévoit que, «le fait d'exiger illégalement du travail forcé ou obligatoire sera passible des sanctions pénales. De ce fait, tout Membre doit avoir des sanctions efficaces et strictement appliquées». Cela doit se faire tout en tenant compte de la situation complexe de la Libye, entre autres, le contexte sécuritaire bien connu.

Aussi, il revient à l'OIT d'assumer sa mission de promouvoir les droits du travail en accompagnant ce pays africain frère, tout en tenant compte du contexte complexe dans lequel il est.

Miembro trabajadora, España - Hoy nos trae aquí un caso de violación del Convenio por parte del Gobierno que ha hecho de Libia un importante centro de trata de personas, esclavitud y trabajo forzoso. Los migrantes en Libia sufren graves violaciones que se han convertido en una práctica cotidiana ante la indiferencia del Gobierno, que no ha realizado ningún esfuerzo legislativo ni ejecutivo para abordarlas.

La Comisión de Expertos había tomado nota previamente de los diversos informes emitidos por diversos organismos de las Naciones Unidas y se refirió específicamente al informe de investigación realizado por el Alto Comisionado de las Naciones Unidas para los Derechos Humanos sobre Libia, de 15 de febrero de 2016, que afirmaba que los migrantes eran sometidos a detención arbitraria o privación de libertad a menudo en condiciones inhumanas y eran sometidos a explotación financiera y trabajo forzoso.

En este contexto, el Alto Comisionado de las Naciones Unidas para los Derechos Humanos recomendó que el Gobierno abordara urgentemente la situación de los migrantes y las migrantes, y adoptara medidas efectivas para combatir la trata de personas.

La Comisión de Expertos también se refirió a la Resolución 2240 del Consejo de Seguridad de las Naciones Unidas, emitida en octubre de 2015, que condenaba todos los actos de tráfico ilícito de migrantes y la trata de personas hacia, a través y desde el territorio libio, y frente a sus costas, lo que ha socavado aún más el proceso de estabilización de Libia y ha puesto en peligro la vida de miles de personas.

Creemos que todas las iniciativas anunciadas por el Gobierno incluyendo la creación de un comité o unidad para combatir la trata de personas no son más que declaraciones de intenciones y no guardan proporción con las graves violaciones del Convenio que se cometen sobre el terreno.

El Gobierno debe asumir sus responsabilidades al igual que todos los países de tránsito elaborando marcos legislativos adecuados y fortaleciendo sus organismos de supervisión y cumplimiento. Reconocemos la difícil situación que prevalece en el país, pero esto no puede ser excusa para permanecer en silencio ante el trabajo forzoso y la explotación arbitraria que sufren los y las trabajadoras migrantes. Las leyes libias deben ser estrictas con quienes cometen estas atrocidades, estos crímenes y no deben permitirles eludir el castigo.

Interprétation de l'arabe: Membre employeuse, Tunisie – Ma délégation souhaiterait exprimer toute sa reconnaissance devant la présence du gouvernement de la Libye et ses réponses aux observations de la commission d'experts sur la convention. Nous constatons les efforts déployés par le gouvernement, aux niveaux administratif et législatif, pour lutter contre le travail forcé, protéger ses victimes et demander des comptes aux personnes impliquées dans les réseaux de traite des êtres humains, en dépit de la situation politique et sécuritaire dans le pays.

Dans ce contexte, ma délégation estime que nous ne pouvons pas laisser tout seul un pays se battre contre un problème de cette ampleur. Plusieurs pays doivent venir en aide à la Libye. Les ressources devraient être mises à disposition par l'OIT pour que le gouvernement puisse renforcer ses capacités de lutte contre la traite des êtres humains, la détention arbitraire et le travail forcé, et tout particulièrement lorsque nous constatons que le gouvernement de la Libye exprime le souhait d'appliquer la convention. Nous rendons hommage aux efforts déployés par le gouvernement, notamment la dissolution de la Direction de Lutte contre la Migration Illégale suite aux critiques internationales concernant les violations commises dans certains centres de détention. Ceci qui démontre l'engagement de la Libye à améliorer la gouvernance de la migration et son interaction positive et constructive avec les organisations internationales.

Ma délégation salue les engagement pris par le gouvernement pour harmoniser sa législation nationale avec les normes internationales, en tenant compte des observations et conclusions de cette commission et de la commission d'experts.

Worker member, Norway – I am speaking on behalf of the trade unions in the Nordic countries. Libya is facing serious allegations of violations of the Convention. Among the critical concerns are human trafficking, arbitrary detentions, sexual slavery and forced labour of migrants since 2016.

According to the report of the independent UN Independent Fact-finding Mission on Libya of 3 March 2023, there are reasons to believe that migrants across Libya are victims of

enslavement and sexual violence in the detention centres run both by official authorities and the militia.

There are strong reasons to believe that, in pursuit of revenue and through strong structural protection, the Directorate for Combatting Illegal Migration, the Libyan Coast Guard and the Stability Support Apparatus are all involved in forced labour and trafficking. In addition, there exists a systematic rape, sexual slavery and forced prostitution culture against migrants and refugee women and girls. These women have no protection, and their perpetrators are not prosecuted.

In 2024, some 787,000 people were present as migrants and refugees in Libya according to the International Organization for Migration (IOM). These persons mainly from North or sub-Saharan Africa went to Libya to search for work or try to reach Europe by crossing the Mediterranean Sea. All of them had a dream of a better life and helping their families back home financially. Instead, they find themselves in precarious conditions and are subjected to a range of violence and abuse both inside and outside the country's detention centres. These people are abducted, subjected to extortion and trafficking practices, assaulted or sexually abused.

It is shocking to find that Libya has institutionalized forced labour through mass detention and extortions. This qualifies as a gross violation of the Convention. We urge the Government to take the necessary measures to ensure that the migrant workers and refugees in Libya become protected. In-depth investigations should be undertaken, victims protected, and perpetrators prosecuted. Libya's draft anti-trafficking law should be adopted urgently. Further, a comprehensive legal and policy framework on migration that prioritizes human rights, dignity and the well-being of migrants, refugees and asylum seekers should be given priority.

Government member, United Kingdom of Great Britain and Northern Ireland – The United Kingdom closely monitors the human rights and labour conditions in Libya and we appreciate the opportunity to discuss these critical issues in this forum. The United Kingdom is deeply concerned about the ongoing violations against migrants and refugees in Libya, particularly those subjected to forced labour, trafficking and arbitrary detention.

These vulnerable communities across Libya face enslavement in detention centres which are managed by both official and unofficial entities. The involvement of state institutions in these crimes is particularly alarming and constitutes a severe violation of the Convention.

We are also deeply troubled by the impunity for sexual violence against migrant and refugee women and girls. The lack of safeguards and monitoring mechanisms leaves these individuals vulnerable to exploitation and abuse. The United Kingdom calls on the Libyan authorities to engage fully with the UN and the humanitarian community so that all migrants and refugees are treated in accordance with International Human Rights Law. There must be transparency and accountability for human rights violations in Libya and an end to arbitrary detentions and exploitation of migrants. We call for in-depth investigations into these abuses.

In conclusion, the United Kingdom condemns the severe human rights violations against migrants and refugees in Libya. We urge the Government to end the exploitation and abuse of migrants and establish safeguards and monitoring mechanisms to respect human rights. Together we must uphold the principles of the Convention and ensure justice for the victims.

Worker member, Lesotho – We present before you today the case of the Government of Libya in violation of the Convention, which Libya ratified in the year 1961. More than half a century since this ratification has not been enough for the Government to ensure the

implementation of this Convention and to protect migrant workers from forms of forced labour and human trafficking.

We are speaking about 850,000 migrants, according to a report issued last January by the IOM, more than half of whom are from sub-Saharan Africa. If we were able to document multiple violations against these migrants, such as exploitation and trafficking, then what remains hidden is likely even more alarming, especially given the disproportionately large number of migrants relative to Libya's population of just 7 million.

As noted in the 2023 Report of the Committee of Experts, systemic violations against migrant workers have been documented, carried out by armed groups, human trafficking gangs and official entities. These violations are varied:

- debt bondage,
- forced labour under threat,
- arbitrary detention,
- forcing migrants to work in farms and households,
- threats of starvation and rape.

What has the Government done in response to all these condemnations? Of course, nothing worth mentioning. The excuse of political transition is no longer a convincing justification for not issuing a package of legal and executive measures to protect the bleeding expansion of organized trafficking networks and the violence of armed groups against migrant workers.

If no decisive stance is taken with the Government, we may be waiting another ten years or more and just imagine how many new victims will fall prey to human trafficking, forced labour, coercion and rape.

We demand the dispatch of the fact-finding committee to Libya as soon as possible to intensify pressure on the Government to fulfil its obligations under the Convention.

Interprétation de l'arabe: Membre gouvernemental, Maroc – Je commencerai par remercier le gouvernement de la Libye pour les informations fournies et les efforts déployés pour répondre aux observations de la commission d'experts.

Après avoir écouté le représentant de la Libye, nous devons reconnaître que des mesures importantes ont été prises afin de s'attaquer aux problèmes auxquels se heurte le pays, notamment en matière de migration clandestine et illégale. En dépit des difficultés, nous voyons le gouvernement déployer des efforts pour mettre en place un cadre juridique pour lutter contre la traite des personnes, notamment des migrants.

Plusieurs lois ont été adoptées concernant la situation des migrants, la cybercriminalité, la traite des êtres humains, les enlèvements et l'extorsion. Ces lois se basent sur le Protocole de Palerme et les règles de la Ligue des États Arabes. Le gouvernement a également pris des mesures pour suivre et surveiller les centres de détention et prendre des mesures à l'encontre des auteurs d'actes illégaux.

En conclusion, nous encourageons la communauté internationale à coopérer avec le gouvernement de la Libye. Nous appelons également l'organisation internationale à poursuivre son appui aux autorités libyennes, en particulier en ce qui concerne la mise en œuvre des observations de la commission d'experts.

Worker member, Brazil –I express our deep concern over Libya’s persistent failure to comply with the Convention. We stand in solidarity with Education International and its affiliates in denouncing serious and ongoing violations in Libya and in supporting all working enduring conditions of forced labour in the country.

As of early 2025, the International Organization for Migration reported over 850,000 migrants in Libya, a sharp increase from the previous year. Many came from Sudan, Niger, Egypt and Chad, escaping conflict and poverty only to face exploitation upon arrival.

Credible sources including IOM and a 2023 UN fact-finding mission have documented systematic forced labour, sexual exploitation and arbitrary detention. These abuses are committed by both the state and non-state actors and amount to crimes against humanity.

Despite international scrutiny, the Libyan authorities have failed to take meaningful action. The lack of functioning state and independent trade unions impedes both monitoring and victim protection.

Compounding the crisis in Libya, outdated penal code from 1950s which defines trafficking narrowly, ignoring labour and sexual exploitation and forms of forced labour. This legal gap allows perpetrators to act with impunity and leaves migrant workers unprotected against rape, coercion and conditions of enslavement.

We urge the Government of Libya to:

- fully cooperate with the ILO supervisory mechanisms;
- reform its legislation in line with Convention No. 29 and international human rights standards; and
- take urgent concrete steps to eliminate forced labour and human trafficking.

Chairperson, forced labour is not only a violation of Convention No. 29. It is a violation of human dignity. The ILO must act decisively to hold Libya accountable and ensure that justice reaches the most vulnerable.

Interprétation de l'arabe: Observatrice, Confédération syndicale internationale – Je suis libyenne. Nier les droits des travailleurs ont conduit à des violations graves de la convention. Le gouvernement n’a pas présenté jusqu’à maintenant d’engagement, et les violations ont persisté. En conséquence de la corruption, la traite des êtres humains est devenue une activité lucrative. Compte tenu des pressions exercées sur les travailleurs migrants de la région, la Libye est devenue une plaque tournante de ces travailleurs.

Ces travailleurs migrants se trouvent piégés et ne peuvent pas jouir de leurs droits. Les autorités émettent des objections pour leur garantir un salaire décent. Nous savons que même des ressortissants nationaux, pendant des années, n’ont pas eu le droit d’être payés. Les prestations ne sont pas versées et les travailleurs sont menacés d’être renvoyés, s’ils n’appliquent pas les instructions gouvernementales. C’est une autre forme d’esclavage non seulement pour les travailleurs migrants, mais également pour les ressortissants nationaux. Nous appelons pour l’établissement d’une commission d’enquête pour examiner les faits et régler cette situation aussi pour les travailleurs du pays. C’est la moindre des choses qu’on peut faire au service de l’humanité.

Interpretation from Arabic: Government representative – The Government is expressing its commitment to take into account the recommendations of your Committee. In the early statement made by my colleague, only few measures have been mentioned to respond to the observations made by the Committee of Experts.

The Government has, for example, dissolved the Directorate for Combating Illegal Migration and closed detention centres. It has brought individuals responsible for mistreating migrants to justice, among them members of the Police. One individual who is a well-known trafficker was arrested and has been taken to the International Criminal Court.

The existing legal framework addresses slavery, servitude and human trafficking. This demonstrates our firm commitment to combating human rights violations more broadly. In particular, we are deeply concerned with safeguarding the rights of migrant workers, in view of our responsibilities under the Convention.

The country is facing exceptional circumstances: political divisions; an armed militia is running wild in the country. Despite such circumstances, the Government is committed to comply with international law, including the Convention.

We are determined to shoulder our responsibilities, but we need to do so in cooperation with the International Labour Office and our other partners to help us to take further steps to help us meet our commitments under the Convention.

Currently, my country is hosting approximately 2 million illegal migrant workers who are residing and working in Libya without legal authorization. These individuals live alongside Libyan citizens and are managing to remit financial support to their families in their countries of origin. Yes, there are some in detention but according to the IOM, it is a couple of thousand individuals and not one million. We are trying to improve the situation and many centres have been closed.

We are cooperating with the ILO and are seeking technical support and capacity-building from the Organization.

Worker members – We want to thank all delegates who have taken the floor during this important discussion. We cannot overemphasise the scale and severity of violations faced by migrant workers in Libya. These are not isolated incidents. They reflect the systematic practices of forced labour and exploitation which include work performed under cohesion in extremely harsh and abusive conditions and with no freedom to leave.

The reality for many migrant workers includes torture, sexual violence and even death. Migrants are arbitrarily detained in centres run by both official state bodies and unofficial actors where they are subjected to enslavement, forced labour and sexual slavery with near total impunity for the perpetrators.

The Committee of Experts and various UN mechanisms have clearly documented the complicity of state actors, individuals and institutions that are meant to uphold the law who instead collaborate with traffickers and armed groups for personal gain. This impunity must end.

The Government must act with urgency. A fragmented or symbolic response is not sufficient. What is required is a systematic, sustained and holistic approach to end arbitrary detention to prevent forced labour and trafficking and protect migrants from abuse and exploitation.

Immediate measures must be taken to ensure the protection and assistance of victims including through voluntary repatriation and meaningful reintegration programmes. These cannot be ad hoc. They must be properly resourced, rights-based and conducted in cooperation with international partners. The investigation and prosecution of perpetrators, including complicit state officials and members of armed groups, must follow.

Justice must not be selective or symbolic. It must be real, and it must include strong dissuasive sanctions for all forms of forced labour and trafficking.

In view of the gravity and urgency of this situation, we call upon the Government to continuously report to the ILO on concrete progress made not only on paper but in practice, to provide detailed information on steps taken to combat trafficking in persons, including victims' identification, protection mechanisms and access to justice, to adopt without delay national legislation that specifically addresses trafficking in persons and provide a copy of such legislation to the ILO as a matter of urgency.

We also urge the Government to formally request the ILO's technical assistance. This is not just an administrative measure, it is a signal of political will, and where appropriate, we believe this support must include the direct involvement of the ILO's highest-level experts sustained over time to ensure real change.

This Committee must send a clear message that forced labour, trafficking, sexual slavery and impunity cannot be tolerated, especially when committed in the shadow of State authority. The international labour standards we uphold in this organization mean nothing if such violations are allowed to continue without consequences. We therefore call on the Government to meet its obligations under the Convention fully and without delay and to place the rights, the dignity and safety of migrant workers at the centre of all policy and action. We also want to urge the Government to accept a high-level mission of the ILO.

Employer members – In closing, the Employer members would like to stress, once again, that we consider unacceptable any forms of forced labour, notably where they target the most vulnerable categories of the society or where the central authorities are complicit in the practices. Our position thus aligns in this regard with the Committee of Experts.

In these circumstances, the Employer members request the Government to, first, ensure the complete elimination of the use of compulsory labour. Second, to engage in meaningful and thorough investigations and to ensure that alleged perpetrators are prosecuted, including and especially those engaged by the Government. Third, to cooperate with the ILO and the most representative worker and employer organizations to ensure the full application of the Convention in law and in practice. And finally, to provide information on concrete measures taken in this respect, including the development of a roadmap and reporting on progress therewith.

We trust that the Government will implement such recommendations in a timely manner in order to achieve full compliance with the Convention, both in law and in practice, and to report on their progress to the Committee of Experts by the 1 September deadline.

Conclusions of the Committee

The Committee took note of the written and oral information provided by the Government and the discussion that followed.

While noting the prevailing situation in the country, the Committee expressed deep concern regarding the situation of migrant workers who are forced to work under extremely harsh conditions and experience ill treatment, including torture, death, enslavement, and sexual exploitation with the complicity of the government. Taking into account the discussion, the Committee urged the Government to take, in consultation with the social partners, effective and time-bound measures to:

- provide migrant workers with adequate legal protection, including by ensuring the adoption of the Bill on combating trafficking in persons shortly and requests the Government to provide a copy thereof;
- ensure that migrant workers who are victims of abusive practices amounting to forced labour are provided with adequate protection and assistance as well as remedies, rehabilitation and compensation, and take immediate measures for the protection and assistance of victims, including through voluntary repatriation and reintegration;
- ensure migrant workers have access to the justice system and are protected against reprisals, including deportation, and that their cases are processed expeditiously and that decisions are enforced;
- introduce and enforce effective and sufficiently dissuasive penalties against offenders including militia groups and labour recruiters who engage migrant workers in situations amounting to forced labour, including perpetrators in official and unofficial migrant centres, and strengthen the capacity of law enforcement bodies in this area;
- ensure that in-depth investigations are undertaken, alleged perpetrators are prosecuted, including complicit state officials and members of armed groups, and sufficiently dissuasive sanctions imposed on those who exact any form of forced labour; and
- strengthen the law enforcement, hire and train additional labour inspectors and increase material resources necessary to enable them to carry out inspections in this regard.

The Committee invited the Government to avail itself of ILO technical assistance to ensure full compliance with its obligations under the Convention in law and practice.

The Committee requested the Government to fully comply with its reporting obligations and to provide information on the application of the Convention in law and practice and on the measures taken to implement these recommendations, in consultation with the social partners, to the Committee of Experts by 1 September 2025.

Interpretation from Arabic: **Government representative** – We have taken due note of the conclusions as adopted and would reaffirm the following: Firstly, our country reaffirms its commitment to the respect of the ILO Conventions which it has duly ratified.

Secondly, the Government will continue its efforts to fight trafficking in persons and all abuses and human rights violations in general, and in particular those affecting the rights of workers. We reject any insinuation of Government involvement or complicity in the violation of migrant workers' rights.

Thirdly, we reject the use of certain terms contained in the conclusions, such as slavery, and we reaffirm that our national laws reject such actions of slavery, bondage and servitude.

Fourthly, we welcome the work of the Committee and would welcome any assistance from the ILO to strengthen our technical capacity.

Fifthly, the Government will continue to make every effort to strengthen workers' rights.