

Annex IV to the Agreement establishing the European Union Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa and its internal rules

Action fiche of the EU Trust Fund to be used for the decisions of the Operational Committee

1. IDENTIFICATION

Title	Supporting protection and humanitarian repatriation and reintegration of vulnerable migrants in Libya (T05-EUTF-NOA-LY-02)
Total cost	Estimated total cost: Euro 19 800 000 million Total amount from Trust Fund: Euro 19 800 000 million
Aid method/Implementation methods	Project modality: indirect and direct management Indirect management: delegation agreement with the International Organisation for Migration (IOM) Direct management: direct awards to Civil Society Organisations (CSO)
DAC code	130, 150, 720

2. GROUNDS AND BACKGROUND

2.1. Summary of the action and its objectives

This Action Fiche captures the interventions in Libya to be committed during 2017 under the *European Union Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa* (i.e. “Trust Fund”).

The proposed action responds to the effects of the ongoing instability and difficult socio-economic conditions of migrants and host communities in Libya. This includes security concerns for those populations, ranging from arbitrary detentions and restrictions on freedom of movement to the increasing occurrence of kidnappings for ransom, which may be linked to a worsening economic situation.

The Action responds to the magnitude of irregular migration attempts across the Mediterranean that has strained resources, particularly those of relevant Libyan authorities including the Libyan Coast Guard (LCG) and Port Security, through interventions in reception centres at points of disembarkation and migrant detention centres which are likewise underequipped to provide minimum decent living conditions and where there are reports of abuse and exploitation¹.

This Action incorporates the approach put forward by the EU in the Communication *Lives in dignity: from aid-dependency to self-reliance*² to change the way forcibly displaced persons

¹ North Africa Mixed Migration Hub (MHub), *Detained Youth the Fate of Young Migrants, Asylum Seekers and Refugees in Libya Today, Study 1*, July 2015, available online: http://www.mixedmigrationhub.org/wpcontent/uploads/2015/09/MHUB_Naik_Libya_Detention_Sep2015.pdf.

² Communication COM (2016) 234 final: *Lives in Dignity: from Aid-dependence to Self-reliance*.

are supported in external action policies while protecting those most vulnerable. The project addresses various locations with high concentrations of migrants, in particular reception facilities at points of disembarkation and detention centres. This Action also strengthens the capacity of relevant Libyan authorities through trainings and provision of technical advice and assistance regarding rights-based migration management.

This Action is fully in line with the EU-IOM Partnership for Sahel and Lake Chad and Libya. It pays particular attention to providing sustainable and impartial reintegration assistance, according to established vulnerability criteria, while taking into account local contexts and existing development cooperation in countries of return. In doing so, the 'do not harm' principle will be fully respected.

The overall objective of this Action is to reinforce protection and resilience of migrants in Libya.

The specific objectives of the proposed action are:

- To improve reception of migrants upon disembarkation;
- To ensure minimum decent living standards in targeted detention centres;
- To improve and scale up humanitarian repatriation and reintegration³;
- To strengthen migration data and communication on migration flows, routes and trends;
- To enhance protection and timely access to basic services for vulnerable migrants most affected by insecurity or with specific needs, both in detention centers and in communities.

2.2. Background

The present action is complementary to ongoing initiatives funded by the EU and other donors in Libya. IOM is a member of key structures that coordinate actions between Agencies working in Libya (see Coordination section). This is vital particularly to facilitate coordination between IOM and the United Nations High Commissioner for Refugees (UNHCR), notably through the Detention Centre Task Force that meets twice a month to coordinate interventions in the detention centres and activities related to rescue at sea operations. Activities are continually discussed with local Non-Governmental Organisations (NGOs), CSOs, relevant Libyan authorities and community groups, and beneficiaries. This Action incorporates feedback mechanisms, so responses influence and inform project design.

In full coordination with the EU-led dialogue with national authorities and the international community, the Action promotes advocacy efforts with relevant stakeholders, such as Libyan officials and local municipalities, the international community, EU Member States and other relevant governmental representatives. In line with the EU's commitment to apply conflict sensitivity across its assistance to Libya, the Action will include a conflict sensitive approach.

³ IOM defines Assisted Voluntary Return (AVR) as 'administrative, logistical, financial and reintegration support to rejected asylum seekers, victims of trafficking in human beings, stranded migrants, qualified nationals and other migrants unable or unwilling to remain in the host country who volunteer to return to their countries of origin', available online <http://www.iom.int/key-migration-terms>. For the purpose of this Action, AVR is renamed as 'humanitarian repatriation' considering the current crisis situation in Libya, affecting also operational capacities to carry out fully-fledged AVR operations, and the extreme vulnerability of migrants in detention or stranded in communities. Humanitarian repatriation from Libya will be undertaken on an exclusively voluntary basis.

The Action proposes monitoring and evaluation exercises and will adapt its implementation methodology when necessary to ensure activities are implemented in a way that safeguards participating communities and groups.

The collection of reliable, timely information supports evidence-based, value for money projects, effective policy and political dialogue in Libya and throughout the region. The Action is supported by results from the IOM Displacement Tracking Matrix (DTM)⁴ system, the North Africa Mixed Migration Hub (M-hub) and the Regional Mixed Migration Secretariat (RMMS). The majority of activities will take place in Libya. Existing key assessments and response plans, including the external 2016 'Libya Needs Assessment of Displaced Populations and Host Communities', developed by the EU-funded Regional Development and Protection Programme in North Africa (RDPP), the 2016 Humanitarian Needs Overview (HNO) and Humanitarian Response Plan (HRP) and the 2016 Multi-sector Needs Assessments (MSNA) for Libya, serve as key guidance.

This Action contributes to the third objective of the Trust Fund (*Improved migration management in countries of origin, transit and destination*) and responds to the priorities set out for the North of Africa window's operational strategy, namely ensuring protection for those in need and improve information and the protection of vulnerable migrants along the migratory route. Furthermore, this Action contributes to implement priority domains 3 (*protection and asylum*) and 5 (*return, readmission and reintegration*) of the La Valletta Action Plan.

2.2.1. National background, where applicable

On 17 December 2016, it will be one year since the signing in Skhirat of the Libyan Political Agreement (LPA). Progress has been made in implementing the LPA, but the situation continues to be fluid and significant challenges remain to be tackled. The Government of National Accord, while based in Tripoli, is not yet fully functioning, does not have effective control over the state's remaining resources, and has not yet been endorsed by the House of Representatives (HoR). Discussions continue to establish whether a ministerial list acceptable to the HoR can be found, and on whether a budget can be agreed that would enable more effective delivery of services by the GNA to the Libyan population. Meanwhile, the economy, on the brink for months, is showing signs of collapse and developments on the ground indicate that physical control of the country and responsibility for security remains fragmented between a number of forces and militia

⁴ The Displacement Tracking Matrix (DTM) is a system to track and monitor the displacement and population mobility. It is designed to regularly and systematically capture, process and disseminate information to provide a better understanding of the movements and evolving needs of displaced populations, whether on site or in route. Conceptualized in 2004 in Iraq, the DTM has been continuously refined and enhanced through years of operational experience in countries in both conflict and natural disaster settings. It delivers primary data on displacement, both in country and at the global level, and is comprised of four distinct components: Mobility Tracking, Flow Monitoring, Registration, and Surveys. DTM data includes information relevant to all sectors of humanitarian assistance, such as water and sanitation, health, food, protection and individual documentation, making the resultant DTM data useful to all sectors of humanitarian assistance. The system flags urgent concerns (e.g. protection concerns, food shortages, sanitation problems, diseases, etc.) to relevant sectorial coordination focal points or National Disaster Management Agencies for follow up to help ensure that displaced populations are living in conditions which meet minimum requirements as defined by international guidelines. The DTM is also an accountability mechanism, reflecting complaints in assistance and perceptions on responsiveness to identified needs. More information about DTM is available online: <http://www.globaldtm.info/global/>

Populations in Libya have suffered tremendously since the crisis deepened in 2014, particularly migrants, host communities and other vulnerable groups. Continued heavy fighting has affected living conditions and displaced large numbers of people from many cities, including Benghazi and Sirte that were previously large and busy towns. Infrastructure has been destroyed and livelihoods decimated, with access to healthcare, justice mechanisms and other services heavily reduced. Conflict has affected livelihood prospects, creating conditions for social tensions and engagement in illicit activities such as migrant smuggling, while invigorating the drivers of irregular migration related to state fragility, conflict and violence. Gender-based violence (GBV) and forced recruitment of children increasingly threaten women and children; youth are increasingly at threat of psychological problems, with disenfranchisement leading to possible enlistment in militia groups. Despite efforts to establish a unified national government, the political stalemate is further aggravating considerable gaps in socio-economic support to communities and resolution of migration policies and rights-based standards. This adds to the already precarious situation of stranded migrants and the communities hosting them. The context also produces strong drivers for outwards or secondary migration, particularly for younger populations. In certain areas, such as in the South, IOM has identified that the lack of viable livelihood activities can contribute to involvement in lucrative smuggling activities, while a lack of faith in civil society and authorities contributes to hostility and a breakdown of any local-level peacebuilding process.

2.2.2. Sectoral background: policies and challenges

Migrants in Libya

Migration dynamics in North Africa have been typically characterised by complex mixed migratory flows and Libya is a transit and destination country⁵ for West and Sub-Saharan Africa. With no social or consular network to rely on, migrants in the country are the most vulnerable and regularly find themselves targeted and exposed to exploitation by smugglers or traffickers. The August DTM⁶ Round 5 identified 276,957 migrants in Libya; most of whom are considered vulnerable. Male and female migrants experience extreme insecurity, including arbitrary arrest by non-state actors, bonded labour, harassment, abuse and general

⁵ In the current instable political context, and given the widespread insecurity and the economic stagnation, most of migrants that traditionally looked at Libya as a destination country to settle down (i.e. Egyptians, Sudanese, Nigerians and Chadians) were either forced to return to their countries of origin after the crisis or pushed to search safety in Europe.

⁶ The deployment of over 120 field enumerators and up to 12 team leaders from five IOM implementing partners throughout 2015/16 required close coordination and collaboration with the UNCT, international and national NGOs and Libyan authorities. Mobility Tracking assessments are done at area (baladiya) and location (muhalla) level through key informants (KIs). The information collected includes estimates of numbers of internally displaced persons (households and individuals), identification of settlements, location of origin, time of departure/arrival, reasons for displacement, and type of displacement locations; and presence of migrants and a list of locations with an estimate of numbers and locations. Results are utilized to advise whether or not to continue assessments at the lower level (location assessments). Location level data includes basic information about the displaced population, sites and needs analysis for displaced communities (shelter, WASH, health etc.). Results verify the information collected at the area level. Indicators to measure the credibility of collected data from KIs include measuring the similarity of the data provided, correspondence to expectations, and methods of managing and documenting the data within the same area; and whether field visits and direct observation were used as a method of verification. DTM can be access online at <http://www.globaldtm.info/libya/>

exploitation. Male migrant workers and stranded migrants are at high risk of trafficking and being forced to resort to smuggling networks⁷.

Many migrants attempt to cross the Mediterranean Sea in search of safety in Europe, putting them in further danger and exacerbating already stretched resources throughout the region. Organised crime groups have taken advantage of the prevailing vacuum of the rule of law to further entrench trafficking and smuggling networks leading across the Mediterranean.

In the context of a deteriorating economy and continued instability, many migrants become stranded. When or if they do return home, the potential for again risking irregular migration either to or through Libya is high if underlying socio-economic drivers of migration have not been able to be addressed. This is particularly so for those with identified vulnerabilities such as women, unaccompanied minors or those with disabilities. Additionally, migrants are considered as particularly vulnerable if they fall under one or more of the following criteria: single-parent families; elderly persons over 60 years; victims of trafficking; pregnant women; migrants with special needs, and physically and mentally ill migrants.

The humanitarian repatriation and reintegration programme, carried out by IOM in Libya, follows a rights-based and 'do not harm' approach, providing otherwise unavailable safe and dignified solutions and ensuring that relevant international and internal procedures are in place, particularly when dealing with vulnerable cases such as: women, unaccompanied minors, elderly and those with medical and special needs and protection. With regard to the humanitarian repatriation and reintegration programme, the main nationalities that IOM supported to voluntarily return from Libya over the last year were Senegal, Burkina Faso, Nigeria, Togo, Niger and Guinea.

Reliable data collection, information management and dissemination mechanisms are a challenge in Libya. Accurate information to allow responders to identify needs and gaps, inform strategic planning and prompt operational response and carry out monitoring is increasingly difficult in the continuously evolving situation.

Migrants rescued at sea

When migrants are rescued or intercepted at sea, they are returned to points of disembarkation, before typically being taken to detention centres. The small, underequipped reception centres at points of disembarkation have now become 'transitory' areas for rescued migrants and people are staying longer, typically from one to three days. The rising numbers of migrants put extreme pressure on already under-resourced operations and facilities. The lack of equipment and space results in a minimum level of first aid and primary health assistance available to migrants who are often in distress and injured after spending hours at sea. Significantly, this means that migrants are not always screened for protection or human rights violations and do not receive appropriate treatment or referrals.

⁷ Risk factors that are heightened during crises and contribute to human trafficking include the erosion of rule of law; institutional breakdown; criminal networks that have adapted to the new situation by targeting new victims in new places, such as transit points, or within local populations hosting high numbers of mobile populations; traffickers seeking to take advantage of populations receiving humanitarian assistance and that may increase criminal activities through exploitative opportunities for employment or onward migration. Formal and informal holding sites for stranded migrants are a rich source of new victims for traffickers and other criminal networks. IOM, *Addressing Human Trafficking and Exploitation in Times of Crisis*, Geneva, 2015.

Detention centres⁸

Faced with large migration flows often organised by criminal networks, the Libyan Directorate of Combating Illegal Migration (DCIM) apply strict migration and punitive procedures, including arrests, detention and deportation, targeting without distinction between migrant workers, asylum seekers, refugees, migrants in transit and victims of trafficking. The DTM found that of the 276,957 migrants identified, 1.8% of migrants are held in detention centres, following their arrest or interception at sea. There are reports of abuse and exploitation of migrants in some detention facilities such as ill treatments, xenophobia, sexual violence and invasive strip-searches. There are inadequate sanitation and hygiene facilities, and few health facilities or psychosocial screening and support mechanisms. Failure to address abuses and hold perpetrators to account is daily routine. Recourse for action or mechanisms for reporting is vital in a context where GBV is prevalent.

2.3. Lessons learnt

The present Action incorporates a rights-based and development-oriented approach. The recommendations included in the *'Study on the results and impact of EU-funded projects in the area of voluntary return and reintegration'*, funded by the EU, will be duly considered while implementing voluntary return and reintegration projects in the framework of this Action. This programme incorporates the following main lessons learnt from the EU-funded programme *"Stabilizing at-risk communities and enhancing migration management to enable smooth transitions in Egypt, Tunisia and Libya (START)"*. Additionally, this Action also builds upon experiences and various evaluations, including a 2015 external evaluation of IOM's Regional Assisted Voluntary Return and Reintegration Programme (AVRR).

- A flexible and responsive approach to the needs of the target groups and key stakeholders is vital. Fast and sometimes unpredictable changes within the political and security environment can result in changing migration routes, patterns and trends, shifting needs and priorities, and affect the feasibility of engaging in certain activities or regions.
- Given the difficult security situation in Libya, local community groups such as Local Crisis Committees are vital partners, as they are best placed to access, identify and respond to populations' needs. Investing in capacity building and empowering local entities leads to better evidence, monitoring and evaluation, alongside sustainability and resilience.
- Remote management⁹ and communications challenges have been mitigated through solidifying relationships with local NGOs as implementing partners, who have taken

⁸ In 2015, there was no official list available of Libya's immigration detention facilities. After the 2011 conflict, militias took over some detention centres and operated them without official oversight. By mid-2013, the DCIM had regained control of many facilities formerly run by militias and it was planning to renovate some facilities. Information available from UNHCR as of June 2016 indicated at least 34 detention facilities in the country, 24 of which were managed by DCIM (an increase from 18 DCIM centres identified in May 2015). The situation is changing somewhat since humanitarian access has increased, but more analysis is needed of the current situation and the state of centres. MHub, 2015 and UNHCR Libya, Map of Detention Centres in Libya and Related UNHCR Protection Activities, available at https://www.humanitarianresponse.info/en/system/files/documents/files/unhcr_a4_libya_detentioncentres_unhcr_jun2016.pdf

⁹ In July 2015, IOM, along with the United Nations Support Mission in Libya, evacuated its staff in Libya due to the deteriorating security conditions in the country. This is a temporary measure and staff will return as soon as security conditions permit. IOM currently has approximately 70 national staff supporting

more responsibility for carrying out operations and activities. Partnerships include training support for project management, reporting, and monitoring and evaluation. Local partner ownership also leads to programme sustainability, and improves co-ordination mechanisms leading to more effective value-for-money interventions.

- Assistance to migrant communities is deemed a sensitive political issue. It is critical to keep local authorities and government agencies clearly informed of the objectives and activities of the project, and engage in building the capacity of authorities working as first-responders while national political dialogue is ongoing.
- Striving to improve conditions in Detention Centres where migrants are held – and measuring the change – along with offering psychosocial support addresses recommendations by the humanitarian repatriation and reintegration evaluation, along with responding to observations of United Nations Support Mission in Libya (UNSMIL) reports on the human rights and humanitarian situation regarding the dire situation of migrants, including conditions relating to their treatment and prolonged detention.¹⁰
- Full consistency of projects related to voluntary return and reintegration with the EU framework on migration under development cooperation and its overall objective of maximizing the positive impact of migration on the development of partner countries must be ensured, in particular with regard to the reintegration component in countries of origin.

2.4. Complementary actions

This programme seeks to complement activities that will be implemented under the RDPP. and, specifically, it provides additional support for certain activities in the SEA DEMM - SEA and Desert Migration Management for Libyan authorities to rescue migrants.

This Action will explore and prioritize the creation of synergies with ongoing projects and programmes, in particular other Trust Fund-funded actions in Libya, such as the *Strengthening protection and resilience of displaced populations in Libya*, implemented by a Consortium led by the Danish Refugee Council (DRC), with whom IOM already has an institutional relationship.

This programme involves and builds upon bi-lateral and multi-lateral capacity building initiatives undertaken by EU Member States (i.e. the EU-funded SEAHORSE programme), the European Border Assistance Mission to Libya (EUBAM) and EUNAVFOR Med Operation Sophia (i.e. the Memorandum of Understanding on the training of the LCG and Navy that was signed on 29 August 2016 in Rome between EUNAVFOR Med Operation Sophia and the Libyan Coast Guard). This programme also strictly coordinates with projects implemented in countries of origin, whenever reintegration activities for migrants repatriated from Libya are undertaken. To this purpose, extensive discussion and planning occurs between IOM Country Offices and EUD Delegations, in order to ensure synergies and avoid duplications.

The Action also coordinates with the ongoing EU-funded project “*Repatriation Assistance for Vulnerable Migrants Stranded Inside Libya and Promoting Stability in Libya’s Southern*

projects throughout Libya and two international staff based in Tripoli and Sabha to manage projects in those regions.

¹⁰ See UNSMIL Report of the Secretary-General on UNSMIL S/2016/452. Available online: <https://unsmil.unmissions.org/Portals/unsmil/Documents/N1613214.pdf>

Regions”, which also contributes to finance humanitarian repatriation and reintegration assistance to migrants stranded inside Libya, and supports community stabilization projects in Sabha and Al Qatrun. Since the beginning of 2016, IOM has supported the humanitarian repatriation of 2,100 migrants stranded in Libya with funding provided by the EU, Governments of Germany, the Netherlands, Norway, State Secretariat for Migration of Switzerland; and the United Nations Central Emergency Fund (UNCERF).

This Action will be in line with the EU Gender Action Plan (GAP II), which provides the framework for the EU's promotion of gender equality through external action for the period 2016-2020.

Further, this Action is fully in line with IOM’s framework for reintegration of migrants from West and Central Africa and is fully in line with the EU-IOM Partnership for Sahel and Lake Chad and Libya. It pays particular attention to providing sustainable and impartial reintegration assistance, according to established vulnerability criteria, while taking into account local contexts and existing development cooperation in countries of return. In doing so, the ‘do not harm’ principle will be fully respected.

2.5. Donor coordination

IOM will engage regularly with the EU Delegation to Libya. The action will ensure close cooperation with national and international actors involved in migrant response in Libya and North Africa. Priorities and activities are identified through consultation with local authorities and the Tunis-based humanitarian community for Libya, including the UN Country Team (UNCT), and the UN Office for Coordination of Humanitarian Affairs (OCHA).

IOM will liaise closely with the EU coordination platform, led by the Tunis-based EU Delegation to Libya, which aims at coordinating interventions and approaches between EU and EU Member States. Within this platform the EU Delegation is now looking at the possibility to set up a sub-group or an ad hoc steering committee, to closely monitor and coordinate all EU-funded migration- and protection- related projects in Libya.

At national level, coordination mechanisms and working groups exist between key implementing partners in-country, which facilitate effective use of funds and avoid duplications and overlapping. IOM is the lead of the Migrants in Detention Working Group and possibly co-lead of the proposed Mixed Migration/Population Movement Working Group, as well as a member of the Protection Working Group, alongside Organisations such as United Nations High Commissioner for Refugees (UNHCR), United Nations Children’s Fund (UNICEF), United Nations Population Fund (UNFPA), Agency for Technical Cooperation and Development (ACTED), Danish Refugee Council, International Medical Corps (IMC), Médecins Sans Frontières (MSF), the International Federation of Red Cross and Red Crescent Societies (IFRC), and the International Committee of the Red Cross (ICRC). Coordination for this Action is vital between IOM and UNHCR and its implementing partners, particularly for interventions in detention centres and at disembarkation points. The detention centres in which IOM intervenes include the 10 listed below and are covered under this Action¹¹:

- Abu Salim
- Az Zawiyah

¹¹ UNHCR Libya, Map of Detention Centres in Libya and Related UNHCR Protection Activities, available at https://www.humanitarianresponse.info/en/system/files/documents/files/unhcr_a4_libya_detentioncentres_unhcr_jun2016.pdf

- Sabratah
- Kaser Ben Ghachir
- Sabha
- Gharian Al Hamra
- Attewicha
- Tocra
- Shahat
- Al Kararaem (in coordination with UNHCR)

IOM works with local CSOs who have direct access¹² to migrants in detention centres to make regular visits and assessments. The Action will also refer migrants through the Migrants in Detention Working Group, which includes all international organisations delivering assistance in detention centres. At the counselling and interviewing stage, IOM will assess each case individually to identify the most vulnerable cases, using the Personal Data Form and the medical fit-to-travel check.

3. DETAILED DESCRIPTION

3.1. Objectives

The overall objective of this Action is to reinforce protection and resilience of migrants in Libya.

The specific objectives of the proposed action are:

- To improve reception of migrants upon disembarkation;
- To ensure minimum decent living standards in targeted detention centres;
- To improve and scale up humanitarian repatriation and reintegration¹³;
- To strengthen migration data and communication on migration flows, routes and trends;
- To enhance protection and timely access to basic services for most vulnerable migrants, both in detention centers and in communities.

¹² IOM Libya works closely with DCIM and Detention Center staffs to build capacity, provide training, and refurbish facilities to improve living conditions for detained migrants. Frequent interactions with DCIM and Detention Center officials allows IOM to gain access to facilities and detained migrants, to provide medical assessments, provide non-food items and hygiene kits, assess vulnerabilities and needs, and provide psychosocial support.

¹³ IOM defines Assisted Voluntary Return (AVR) as 'administrative, logistical, financial and reintegration support to rejected asylum seekers, victims of trafficking in human beings, stranded migrants, qualified nationals and other migrants unable or unwilling to remain in the host country who volunteer to return to their countries of origin', available online <http://www.iom.int/key-migration-terms>. For the purpose of this Action, AVR is renamed as 'humanitarian repatriation' considering the current crisis situation in Libya, affecting also operational capacities to carry out fully-fledged AVR operations, and the extreme vulnerability of migrants in detention or stranded in communities. Humanitarian repatriation from Libya will be undertaken on an exclusively voluntary basis.

3.2. Expected results and indicative main activities

3.2.1. Result Area 1: relevant Libyan counterparts are better equipped and trained to respond and identify needs of migrants at disembarkation points;

Indicative list of possible activities:

- a. Rehabilitate infrastructure at points of disembarkation and reception facilities, as identified in cooperation with relevant national authorities and other relevant Agencies. Improvements to reception facilities include basic shelter, clinic and medical examination rooms and identified water, sanitation and hygiene facilities.
- b. Provide lifesaving equipment to LCG and Port Security officials, and personal protective equipment for personnel involved in search and rescue operations, as well as training to operate and use this equipment. This will be based on a joint assessment and prioritisation of types of lifesaving equipment needed by the LCG and Port Security, and the DCIM.
- c. Identification of vulnerabilities and protection needs of migrants rescued at sea.
- d. Rights-based capacity building for DCIM, LCG and Port Security personnel; topics may cover identifying and addressing the needs of vulnerable groups, human rights' violations, identification of victims of trafficking, referral mechanisms and promotion of alternatives to detention.

3.2.2. Result Area 2: improved management capacity and minimum decent living standards in detention centres;

Indicative list of possible activities:

- a. Provision of toilets, showers and ventilation, as well as potable water storage and distribution system, and hygienic sewerage systems for each detention centre covered by this Action.
- b. Identification of vulnerabilities and protection needs of migrants in detention centres.
- c. In the framework of the proposed Mixed Migration/Population Movement Working Group or of the Migrants in Detention Working Group, setting up and coordinating a system of assessment and monitoring of each detention centre, in order to ensure accountability, complementarity, effective response to needs and identification of gaps.
- d. Providing referrals, healthcare and psychosocial support at detention centres, as well as training on rights-based reception procedures upon arrival, including on relevant Standard Operating Procedures, as developed by other projects, for detention centres management staff, relevant health personnel and partner NGOs.
- e. Providing disinfection and fumigation to improve health and sanitation conditions in targeted detention centres. The scope of work for each centre will be identified and prioritised according to a technical assessment at the identified locations.

3.2.3. Result Area 3: provision of humanitarian repatriation and reintegration assistance is scaled up and improved;

Indicative list of possible activities:

- a. Focusing on the most vulnerable migrants, humanitarian repatriation activities include: pre-departure counselling interviews; facilitating the issuance and/or replacement of missing, lost or expired travel documents; ensuring fit-to-travel checks; transit/reception assistance; escorts for unaccompanied minors (UAMs) or migrants with health needs; and facilitating onward transportation to the final destination within the migrant's country of origin. Each case will be assessed individually, using the Personal Data Form and the medical fit to travel check document. This component will initially target the repatriation of 5.000 migrants, with the understanding that the mechanism will be adaptable to changing circumstances. Additional funds could be allocated should there be a need to further increase the number of humanitarian repatriations.
- b. Support progressively sustainable reintegration of migrants: working with IOM Offices in countries of return and paying particular attention to the needs of vulnerable migrants, the programme will provide assistance to returnees and, whenever relevant, receiving communities, to address the economic, social and psycho-social dimensions of reintegration.
- c. Under this specific programme, reintegration assistance is foreseen for an estimated 50% of the caseload in the countries of return. IOM will assess each case individually to identify the most vulnerable returnees. Migrants are thus considered as particularly vulnerable if they fall under one or more of the following criteria: single-parent families, elderly persons over 60 years, victims of trafficking, pregnant women and migrants with special needs and physically and mentally ill migrants. Returning migrants who do not receive reintegration assistance under this programme will be referred to a maximum possible extent to other ongoing EU-funded projects (in 12 countries throughout West and Central Africa). The aim is to ensure all returning migrants receive some form of reintegration assistance upon return to their countries of origin, either through in-kind assistance or through referral to other programs.

3.2.4. Result Area 4: enhanced access to migration data among international and local partners.

Indicative list of possible activities:

- a. Perform DTM assessments, produce reports and disseminate results: this may include Mobility Tracking, Flow Monitoring¹⁴ capturing migration dynamics across Libya, as well as Detention Centre Site Profiling to capture the number

¹⁴ Flow Monitoring tracks crossing migrants' mobility patterns within Libya. DTM enumerators collect information at the main transit points identified by DTM's Mobility Tracking initiative. Data is triangulated with key informants, verified by IOM in Libya and cross-referenced with IOM's Mobility Tracking data. Flow Monitoring methodology includes a baseline assessment and a profiling survey to provide a comprehensive understanding of migrant routes, locations and numbers, types of residence, demographics, vulnerabilities, push and pull factors for migration, country of origin, challenges confronted and length of migration.

and demographic breakdown of populations and conditions, including protection concerns.¹⁵

3.2.5. Result Area 5: protection and timely access to basic services for most vulnerable migrants, both in detention centres and in communities in full respect of the 'do no harm' principle.

Indicative list of possible activities:

- a. Set up a Protection Fund to cover impellent needs of migrants in detention centres and in communities, in full respect of the 'do no harm' principle.
- b. Provide protection support in the form of Gender-Based Violence (GBV) prevention, response, referral and victim assistance; prevention and response to violations and abuses of human rights, including grave violations committed against children, and timely access to child protection services.
- c. Avail timely access to critical health care services, through the provision of essential medicines and medical materials, facilitation of medical referrals, and mobilisation of health staff and technical support in the fields of primary healthcare, mental health care and psychosocial support, disability care, communicable disease prevention and management, reproductive health, life-saving emergency and obstetric care.
- d. Avail timely access to basic sanitation and hygiene facilities, WASH-related information and hygiene items, and ensure access to functional and clean toilets for better health and dignity.
- e. Avail timely access to critical goods such as food and water protecting vulnerable migrants from sliding into malnutrition. Provide non-food items (NFIs) and temporary shelter assistance to ensure minimum and dignified shelter for those most in need.

3.3. Risks and assumptions

Risks	Risk level	Assumptions	Mitigating measures
Risk of political instability in the region and possible changes of governments.	Medium to High	Local authorities/ governments maintain authority, and environments are safe enough to implement planned activities.	The political situation is constantly monitored. The programme activities have been identified taking into account the current political situation and anticipated developments. Mitigation measures have been designed to apply if the security situation deteriorates. Democratic structures and principles are firmly supported in the framework of the EU's political dialogue with partner countries.
Changes in numbers and priorities of migrants and host	Medium	There will be new displacements (primary, secondary and tertiary)	The action will be flexible and adaptable to any changed context or to better suit the unique needs of those affected, this includes ensuring flexibility

¹⁵ This will produce multi-sectoral assessments of DCIM-run detention centres to capture the number and demographic breakdown of populations and conditions, including protection concerns. This activity provides a baseline and platform to monitor ongoing projects in detention centres, supports evidence for putting in place referral mechanisms and can capture information on potential humanitarian repatriation caseloads.

communities, and relevant authorities		as well as a new, emerging caseload of those whose vulnerabilities have increased as a result of the conflict and its secondary effects.	in implementation activity for other priority areas. Past programming from IOM and partners will be evaluated and best practices utilised where possible. Any changes will be discussed and agreed upon with EU locally before being implemented.
Government officials deny direct access to migrants in detention centres or other migrant detention facilities	Medium	Local authorities/ governments allow continued access to detention facilities	Through this Action, maintaining effective and positive relationships with Libyan officials will remain critical to ensure continued capacity building activities and to maintain access to detention facilities.
Access issues related to security and infrastructure, including deteriorating security situation on roads, leading to some populations being cut-off; related inability to identify locations deemed 'appropriate' for intervention. Suspensions in implementing activities in the event that access is not possible.	Medium to High	Access to locations is not hindered by security, local authorities and leaders, migrant participation, government restrictions, military interventions, and security. The security and political environment allows for access and response to the needs of migrants and will not further deteriorate to a level preventing project implementation.	The action continues to coordinate with the United Nations Department of Safety and Security (UNDSS), partners and authorities regarding security and IOM/partner presence to ensure a trustful relationship between stakeholders. IOM utilises third-party contracting where possible and appropriate. Additional support and remote monitoring will be provided to the IOM Libya office by the MENA Regional Office in Cairo and the IOM office in Tunisia. Activities delayed until the security situation in the target area is sound and there is no potential for harm to beneficiaries or project staff; training sites may be moved pending security assessments.
Political pressures restrict opportunities for migrants to engage in sustainable livelihoods activities	Medium	Commitment of the Governments and local authorities support IOM's provision of opportunities to migrant communities of means of engagement upon return.	The project includes activities such as training and support for self-employment, as well as activities to support livelihoods in the event that political pressures reduce migrants' access to the local labour markets.
Beneficiaries cannot engage due to fear, insecurity, inability or access; unhappiness based on misconceptions about services or humanitarian aid not being equal.	Low	Target beneficiaries are willing to participate/cooperate Safety of the civilians in the detention centres sites or other organised facilities is adequately provided.	Messages to the project beneficiaries will be communicated through government authorities or local/community leaders to effectively reach the target beneficiaries. Consistent, open and honest partner communication and engagement continues to be based on mutual trust and respect for beneficiaries.
Loss of resources (funds, goods, assets) due to looting, vandalism and fraud. Impact of the declining economic	Low	The operating environment will remain similarly restrictive this year due to the stalled political process, with minimum operating space for implementation and monitoring. Local implementing partners are willing and able to	Putting in place security measures and effective internal control to mitigate potential loss of resources. Continuing to build the capacity of local partners with ability to operate in Libya. Implementing partners will closely liaise with relevant actors to ensure expectations are clear and response is based on need; Activities will all be implemented within the parameters of civil military guidelines. Continuing regular coordination meetings in

environment on the cost of operations and related capacity of local partners.		participate/cooperate	Tunisia, allowing IOM to keep close contact with implementing partners and verify information, triangulated through feedback received from other partners active inside Libya.
The threat of economic collapse will negatively impact financial liquidity	Medium	Implementing partners will have access for banking institutions in Tunisia Government authorities will have limited funds to support operations by LCG, DCIM and Ministry of Health.	Continuously monitor how the changing security situation effects Libya's economic outlook, financial liquidity, and availability of cash. Encourage implementing partners to establish bank accounts in Tunis to facilitate transfer of funds to support interventions. Be prepared to provide additional lifesaving support to LCG for SAR operations and detention centers.

3.4. Crosscutting issues

Resilience: this action seeks to increase the resilience of migrants, particularly those who avail themselves to the Assisted Voluntary Return and Reintegration Programme. For Libyan government officials, including Libyan Coast Guard, Port Security, DCIM, and Detention Centre staffs, resilience will be increased through capacity building, training, and assistance with infrastructure improvements.

Gender mainstreaming: migrant women, girls and unaccompanied minors have greater need for protection, especially in detention centres. Therefore, this project specifically addresses these concerns through provision of human rights and gender-based awareness training for detention centres' officials, separate hygiene and housing for female migrants and provision of specialized healthcare. Gender considerations are integrated in planning, implementation and monitoring and evaluation of all activities. Populations with specific vulnerabilities (physical disabilities or individuals made vulnerable due to gender such as young boys or women) will be served using methodologies that ensure access and prevent harassment. Sensitivity to vulnerability and confidentiality is important, to promote the wellbeing of beneficiaries. Relevant data will be sex-disaggregated to ensure aims and objectives are appropriately reaching populations. GBV indicators are included in the DTM, serving as a reference point for partners to tailor planning and responses.

Community ownership and mobilisation: this programme applies a participatory approach in the development, planning and implementation of activities to reduce the potential for tensions. Where applicable, project teams will coordinate with traditional leadership structures, local authorities, religious and business leaders, and women and youth groups. The project applies a human rights framework through identifying, monitoring, preventing and responding to protection threats through mobilisation of community service organizations in support of government actions, particularly regarding vulnerable migrants and victims of trafficking.

Peace building and conflict mediation approach: this Action supports the design and mainstreaming of conflict-sensitive approaches, including Do No Harm principles. Activities will encourage positive inter- and intra-communal interactions to promote the concepts of team spirit, respect, non-violence, neutrality and to promote messages of solidarity and peace.

Effectiveness: through analysing multi-sectoral needs and disseminating information, the Action strengthens the overall capacity to deliver lifesaving interventions in a coordinated and efficient manner. The project capitalises on already established structures and relationships

with authorities and partners. Continuous monitoring ensures that lessons learnt are addressed to ensure that activities and projects progress more effectively.

3.5. Stakeholders

Due to the security situation, UN Agencies currently use a network of local Libyan NGOs as implementing partners. This facilitates access and timely delivery of humanitarian aid and assistance. A coordination mechanism exists and information is shared between implementing partners in Libya to reduce duplication and ensure proper monitoring. The Action may make use of existing relationships IOM has in place with local CSOs and NGOs, such as Ayadi Al Khair Society (AKS), Multakana Centre, Shaik Tahir Al Zawi Charity Organisation (STACO), Psychosocial Support Team/Psychosocial Network (PSS), IDPs Union, the Libyan Red Crescent and International Organisation for Cooperation and Emergency Aid (IOCEA). The Action will utilise the experience of other community bodies such as women's or youth groups, who are often best placed to assess the actual needs. Partnerships will continue to lead to ownership and sustainable development through transfer of expertise and knowledge.

For all activities, efforts will be coordinated with local and national authorities to receive authorisation and secure access to areas and facilities, understand needs, ensure uniformity of interventions and avoid duplication of efforts and exercises. This includes the Ministry of Interior through DCIM and Port Security authorities for access to points of disembarkation and detention centres and the LCG. For initiatives in migrant sites accessible to humanitarian partners, IOM Libya partners with the Libyan Red Crescent and trusted Local Crisis Committees¹⁶ for who are able to rapidly mobilise adequate human resources and items to provide support, assistance and protection. All return activities and the issuance of migrants' travel documents are well coordinated with the embassies of third country nationals in Libya, or Tunis, and through IOM Country offices in countries of return. The Action also works with clear channels of communication with United Nations Support Mission in Libya (UNSMIL).

Beneficiaries: this Action will mainly support vulnerable migrants in Libya, targeting in particular disembarkation points and detention centres. Relevant Libyan authorities (DCIM, LCG, management staff of detention centres, etc.) will also be targeted through capacity building activities.

4. IMPLEMENTATION ISSUES

4.1. Financing agreement, where applicable

It is not foreseen to conclude a Financing Agreement with the partner country.

4.2. Indicative period of operational implementation

The indicative operational implementation period of this action, during which the activities described in section 3.2 will be carried out is from the adoption of this Action Document by the Operational Board until 31 December 2024, i.e. the end of the implementation period of the EUTF for Africa. Any postponement of the expiry date of the Trust Fund, currently set at 31 December 2020, shall automatically postpone the indicative implementation end date of this action by an equivalent additional period.

¹⁶ Local Crisis Committees are voluntary Civil Society Organisations operating at local levels. In some areas they are shaped by Municipality bodies, however mostly they are self-forming and governing.

4.3. Implementation components and modules

The Action will be implemented through indirect management with IOM and direct award(s) to Civil Society Organisations (direct management) under the proposed Protection Fund.

The EU Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa has been established under Article 187 of the Financial Regulation as an 'emergency' trust fund and flexible procedures applicable to crisis situations are therefore applicable. The Commission Decision of 20.10.2015 on the establishment of a European Union Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa C(2015)7293 stipulates that "For the purpose of the implementation of the Trust Fund, the countries referred to in paragraph 4 of Article 1 are considered to be in crisis situation in the sense of paragraph 2 of Article 90 of the Rules of Application for the duration of the Trust Fund" (paragraph 4 of Article 1: *for the North of Africa: Algeria, Egypt, Libya, Morocco and Tunisia*).

Component 1 (result areas 1, 2, 3 and 4):

Under component 1 (result areas 1, 2, 3 and 4), activities will be implemented by IOM. IOM, as the leading international migration organisation, has extensive experience and competencies in supporting response to migration challenges at all levels (regional, national and local). IOM's membership of 165 countries counts all EU Member States, as well as all North African target countries of the Trust Fund. Given the sensitive nature of engaging on protection issues in detention centres and disembarkation points in Libya, IOM's acceptance in Libya, on-going projects' portfolio and in-depth knowledge of the local situation makes it uniquely placed to lead this component. With regard to humanitarian repatriation-related activities from Libya, IOM is currently the only organisation able to perform this kind of interventions in Libya.

IOM has signed a Framework Administrative Agreement with the European Commission in June 2015 and entered into a Strategic Cooperation Framework with the European External Action Service and participating Directorates General of the European Commission in 2012. IOM was positively evaluated by the EC through the Seven-Pillar Assessment in 2014.

Component 2 (result area 5):

Under result area 5 (the Protection Fund), activities will be implemented through directly awarded grants to CSOs. The intention is to provide support through experienced organisations active in the field of protection and migration in Libya, with a particular focus on vulnerable and most-at-risk migrant populations.

Eligibility conditions: the lead applicant needs to be a legal entity, be non-profit making and non-governmental organisations. Moreover, the lead applicant needs to have a proven capacity to operate in Libya and to respond to context-specific needs.

Essential selection and award criteria: essential selection criteria are the financial and operational capacity of the applicants, as well as the operational response and methodology proposed by the applicants to respond to identified needs. The selection will be based on a negotiation process with those organisations fulfilling the above eligibility conditions, and which have already developed extensive expertise and proved added value in the targeted fields of action in Libya (especially relief and protection assistance to migrants). In doing so, the Commission will respect the principles of economy, efficiency and effectiveness, assessed on criteria that include relevant prior experience and implementing capacity.

The maximum possible rate of co-financing for these grants is 80% of the eligible costs of the action.

In accordance with Articles 192 of Regulation (EU, Euratom) No 966/2012, if full funding is essential for the action to be carried out, the maximum possible rate of co-financing may be increased up to 100%. The essentiality of full funding will be justified by the Commission's authorising officer responsible in the award decision, in respect of the principles of equal treatment and sound financial management.

4.4. Indicative budget

Components	Amount in EUR
Component 1: indirect management with IOM	16,8 Million
Component 2: grants to CSOs	3 Million
Total:	19,8 Million

4.5. Evaluation and Audit

Monitoring and evaluation mechanisms foreseen by implementing partners under this Action will be in line with the Monitoring and Evaluation Framework developed by the Trust Fund's North of Africa Window and compliant with the reporting requirements and tools being developed by the Trust Fund. If necessary, ad hoc monitoring could be contracted by the European Commission for this Action. A final evaluation will be carried out for this action or its components via independent consultants contracted by the European Commission. Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, ad hoc audits or expenditure verification assignments could be contracted by the European Commission. Audits and expenditure verification assignments will be carried out in conformity with the risk analysis in the frame of the yearly Audit Plan exercise conducted by the European Commission. Evaluation and audit assignments will be implemented through service contracts; making use of one of the Commission's dedicated framework contracts or alternatively through the competitive negotiated procedure or the single tender procedure.

4.6. Communication and visibility

All implementing partners in receipt of funds from the Trust Fund shall take all appropriate steps to publicise the fact that an action has received funding from the EU under the Trust Fund. These measures shall be based on a specific *Communication and Visibility Plan of the Action*, to be elaborated by each implementing partner at the start of implementation on the basis of the Communication and Visibility Manual for EU External Action¹⁵. Appropriate contractual obligations shall be included in, respectively, the grant contracts, and/or delegation agreements.