

Shifting sands

Migration policy and governance in Libya, Tunisia and Egypt

Margaret Monyani



North Africa's role in global migration needs effective, humane management. This report examines Libya, Tunisia and Egypt's migration policies, highlighting their impact on stability and migrant safety. It emphasises the need for stable governance, socio-economic development and international cooperation. The report offers recommendations for balanced approaches that address security as well as humanitarian needs.

Key findings

- ▶ Socio-economic instability is still a key driver of migration in North Africa. High unemployment pushes people to look for opportunities abroad, exacerbating migration flows.
- ▶ Regional migration dynamics are complicated by external influences. Policies in Libya, Tunisia and Egypt focus on restricting migration to Europe rather than supporting the African Union's (AU) Free Movement Protocol, which limits opportunities for regional integration and economic development.
- ▶ Ongoing conflict in Libya has created a vacuum where militias and smuggling networks control migration routes, leading to severe human rights abuses in unofficial detention centres.
- ▶ Human rights violations against migrants are widespread in Libya, while Tunisia and Egypt face challenges in providing legal protection and basic services to migrants.

Recommendations

Libya should:

- ▶ Advocate for a shift in international initiatives from a focus on migration control to one that emphasises human rights, dignity and the protection of migrants, particularly within EU-funded programmes
- ▶ Adopt non-detention approaches for migrants, such as community-based care, regularisation pathways and access to legal support, to prioritise their rights and well-being

Tunisia should:

- ▶ Develop a comprehensive national asylum policy that aligns with international standards to better protect asylum seekers and refugees
- ▶ Revisit bilateral agreements with European nations to align them with regional African migration aims, supporting the AU's Free Movement Protocol
- ▶ Bolster legal and operational capacities to disrupt smuggling networks through investment in resources and law enforcement training

Egypt should:

- ▶ Implement policy reforms that focus on enhancing economic opportunities to address the root causes of migration, particularly through job creation and economic stability
- ▶ Revise visa restrictions to reduce irregular migration and encourage safer migration pathways
- ▶ Strengthen legal frameworks to combat human trafficking and foster deeper regional cooperation

The AU should:

- ▶ Accelerate the ratification of the Free Movement Protocol by addressing specific political and logistical barriers in North Africa, promoting intra-regional mobility
- ▶ Develop a platform for real-time information exchange on migration trends, human trafficking and smuggling networks, enhancing evidence-based decision making and rapid responses
- ▶ Strengthen cooperation with the EU to ensure migration policies prioritise both security concerns and migrants' rights

Introduction

North Africa, positioned at the crossroads of migration routes from sub-Saharan Africa to Europe, plays a pivotal role in shaping global migration dynamics. This region – particularly Libya, Tunisia and Egypt – is a hub for migrants seeking better opportunities or escaping conflicts and economic challenges.¹ While countries such as Morocco, Algeria and Mauritania have also gained significance, especially with the rise in migration along the Atlantic Route, this report focuses on Libya, Tunisia and Egypt due to their unique geopolitical positions, the scale of migrant flows and their distinct policy responses to migration issues.

By focusing on these three countries, the report aims to deepen our understanding of the migration landscape in areas where past research has highlighted significant challenges related to border management and illicit economies tied to human smuggling and trafficking.² Building on previous studies that examined the geopolitical, economic and social drivers of migration,³ this report incorporates updated data, evaluates the effectiveness of past recommendations and offers new insights into the complex governance mechanisms influencing migration in these nations.

Migration governance in North Africa is multifaceted, shaped by the region's dual role as both a transit and destination hub.⁴ Libya has been a key transit country due to its proximity to Europe, with hundreds of thousands of migrants passing through annually, but the country's fragile political environment, coupled with ongoing conflict and a lack of centralised authority, has undermined formal migration governance structures.

Migration governance in North Africa is shaped by the region's role as both a transit and destination hub

Non-state actors, militias and smuggling networks have stepped into the governance vacuum resulting in widespread abuse, exploitation and human rights violations against migrants.⁵ Libya's lack of state capacity has hindered efforts to manage migration flows making it one of the most dangerous transit points in the region. This has raised concerns about the protection of

migrants and the role of international actors in supporting migration governance amid such instability.⁶

Tunisia and Egypt have implemented more structured approaches to migration governance, influenced by evolving relationships with Europe. Tunisia, traditionally a transit country, has seen migration increase due to its relative stability compared to neighbouring Libya. The Tunisian government has negotiated with the European Union (EU) to manage migration flows, balancing humanitarian concerns with border security. It has looked to enhance its migration governance by improving border controls and exploring bilateral agreements with European partners. Egypt has also adopted stricter migration governance measures, working with the EU to curb irregular migration,⁷ but economic challenges and political instability continue to drive migration.

The complex interplay of these factors – political instability, economic pressures and international partnerships – makes migration governance in North Africa a critical issue. This report delves deeper into the unique role Libya, Tunisia and Egypt play in managing migration, providing updated insights and comprehensive analyses to inform policy and practice.

Objectives and scope

The primary aim of this study is to analyse the roles of Libya, Tunisia and Egypt as transit hubs, highlighting recent developments and the intricate governance mechanisms shaping migration in these countries. Specifically, the study aims to:

- Analyse the political and social challenges in Libya, Tunisia and Egypt that worsen the crisis
- Assess the impact of changing policies in Libya, Tunisia and Egypt on migration flows
- Provide targeted recommendations for policy and practice based on evidence-based analysis

The report begins with an introduction that outlines North Africa's crucial role in global migration, focusing on Libya, Tunisia and Egypt as key transit and destination points. It then examines the historical and current migration trends, driven by factors such as economic disparity, political instability and environmental challenges.

The section on Libya explores the significant political and social issues that worsen the migration crisis, including the development of smuggling networks and the impact of internal conflicts. For Tunisia, the report discusses the evolution of migration policies after the Arab Spring, highlighting the influence of EU cooperation and the challenges of balancing humanitarian concerns with border security. In Egypt, the focus is on the historical development of migration policies, socio-economic drivers of migration and recent shifts towards enhanced border security and international partnerships.

North Africa's strategic location, connecting sub-Saharan Africa to Europe, has made it a focal point for migration flows throughout history

The report's goals and scope include analysing these political and social challenges, assessing the impact of policy changes and providing evidence-based recommendations. The recommendations offer practical solutions for improving migration management in the region. The conclusion emphasises the need for stable governance, international collaboration and a balanced approach integrating security, humanitarian and development perspectives.

Methodology

This study adopted a qualitative approach, using a comprehensive desktop review and online interviews with experts and stakeholders. The methodology involved collecting and analysing existing data and literature to understand the dynamics of migration in North Africa. The extensive literature review gathered secondary data from various sources, including academic journals, books, scholarly articles and recent publications, prioritising works from the last five years to ensure the relevance and currency of the data. The review aimed to identify past research findings relevant to the study, integrating qualitative insights from research reports, policy briefs and media reports to understand migration governance dynamics.

Five online interviews with experts and stakeholders in May 2024 to gather first-hand insight and perspectives on migration dynamics supplemented the review. Interviews targeted a diverse range of participants, including policymakers, non-governmental organisation representatives and academics specialising in migration studies, ensuring a comprehensive understanding of the numerous factors influencing migration. These conversations gave valuable context to the literature findings, offering a more nuanced picture.

North Africa as a migration hub

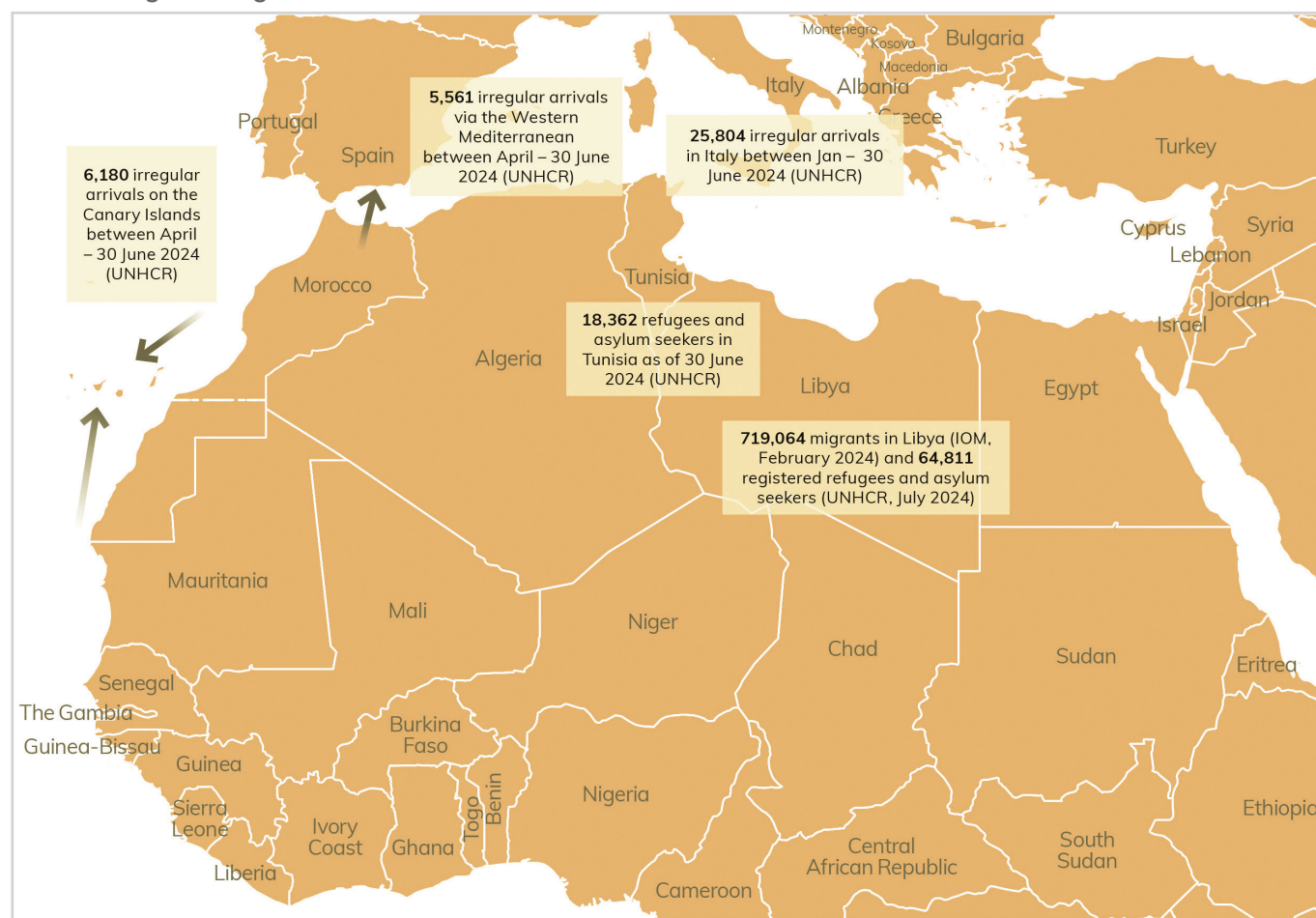
North Africa has long been a significant transit region for migration, tracing back to historical movements across the Sahara Desert and the Mediterranean Sea. The region's strategic location, connecting sub-Saharan Africa to Europe, has made it a focal point for migration flows throughout

ACCORDING TO IOM
OVER

706 509

MIGRANTS WERE RECORDED
IN LIBYA ALONE IN 2023

Chart 1: Regional migrant flows



Source: Mixed Migration Centre, 2024

history.⁸ Historically, people, goods and cultures moved between Africa, Europe and the Middle East along trade routes. These routes evolved into modern migration pathways, influenced by colonial histories, economic opportunities and socio-political changes.

North Africa's proximity to Europe and Asia and role as a gateway for migrants looking for opportunities or escaping conflicts underscores its geopolitical significance. Its importance is magnified by its political landscape, marked by varying degrees of stability and governance.⁹ Libya has experienced turmoil since Muammar Gaddafi fell in 2011, leading to a vacuum that facilitated the growth of smuggling and trafficking networks.¹⁰ Tunisia, despite its relatively stable political environment post-Arab Spring, faces its own challenges in managing migration. Egypt, with its large population and strategic location, is a source and transit country, influenced by its economy and regional politics.

The historical context, geopolitical significance and current migration trends in North Africa underscore the region's pivotal role in global migration dynamics. Libya, Tunisia and Egypt each contribute uniquely to the migration landscape, influenced by their political environments and strategic positions. Understanding these factors is essential for developing effective management strategies that address the complex realities. The interplay of legacies, economic disparity and political conditions continues to shape North Africa's role as a migration hub, presenting both challenges and opportunities for policymakers and stakeholders.

Current migration trends in North Africa reveal a multifaceted and dynamic landscape. According to the International Organization for Migration (IOM), over 706 509 migrants from 45 nationalities were recorded in Libya alone in 2023.¹¹ This figure represents a slight increase from previous studies and highlights Libya's

central role as a major transit hub. Migrants often endure perilous journeys, facing exploitation and abuse, as they try to cross into Europe via the Mediterranean Sea.¹² The Central Mediterranean Route, passing through Libya, remains one of the deadliest migration corridors, with thousands of migrants dying annually.

Migration management in Libya

Contextual analysis

Libya's role in the migration landscape is complex. Its internal conflicts and political instability have created an environment where smuggling and trafficking networks can thrive. Gaddafi's fall from power led to a vacuum and then civil war, resulting in a fragmented state with competing factions. This lack of a centralised authority has made it difficult to enforce laws and regulations, so human traffickers and smugglers operate with relative impunity.¹³ As a result, Libya has become a crucial transit point for migrants from various African countries, including Nigeria, Sudan and Eritrea, seeking to reach Europe.¹⁴

Libya hosts the largest population of migrants in North Africa. According to the IOM Displacement Tracking Matrix, as of February 2024, there were about 719 064 migrants from 44 different nationalities living across 100 municipalities in Libya.¹⁵ This figure shows a slight increase from the 706 369 migrants recorded at the end of 2023. Contributing to this rise is the influx of Sudanese migrants, driven by ongoing conflicts in their home country. Despite this increase, the current number of migrants is still significantly lower than in 2011 when the migrant population was estimated to be around 2.5 million at the onset of the conflict.¹⁶

In the period between 2021 and 2023, research shows a decrease of migrants in Libya, a trend which could be attributed to the increased manning of the borders by Libyan coast guards, rampant arrests and detentions that were witnessed in May 2023.¹⁷ The decrease could also be attributed to the COVID-19 pandemic and the coup d'état in Niger that both saw the closure of borders.

Around 56% of migrants in Libya live in the western regions, largely because of the departure points to Italy and opportunities in Tripoli.¹⁸ About 31% of the migrant population are in the east, while 13% are in the south. Most migrants in the western and southern areas are

from sub-Saharan Africa, while those in the north are predominantly from North African countries.¹⁹ According to IOM data, about 77% of the migrant population in Libya come from neighbouring countries, with Nigeriens making up 25%, followed by Egyptians at 22%, Sudanese at 19%, Chadians at 11% and Nigerians at 4%.²⁰

Chart 2: Migrants in Libya by nationality

Nationality	Number of migrants	% migrants
Niger	183 334	25%
Egypt	160 281	22%
Sudan	136 455	19%
Chad	80 461	11%
Nigeria	30 964	4%
Syrian Arab Republic	26 176	4%
Bangladesh	21 481	3%
Mali	14 081	2%
Ghana	13 280	2%
Pakistan	7 067	1%
Palestine	6 616	1%
Other	5 931	1%
Tunisia	5 639	1%
Burkina Faso	4 138	1%
South Sudan	3 695	1%
Senegal	3 209	0.4%
Eritrea	2 990	0.4%
Mauritania	2 444	0.3%
Côte d'Ivoire	2 232	0.3%
Morocco	1 957	0.3%
Somalia	1 764	0.2%
Unknown	1 480	0.2%
Guinea	1 312	0.2%
Cameroon	1 041	0.1%
Algeria	1 036	0.1%
Total for Libya	719 064	100%

Source: Adapted from IOM Libya Migrant Report, 2024

Due to its proximity to the Mediterranean Sea, migrants see Libya as a gateway to Europe. Given the high levels of insecurity, they find it easier to navigate across the ungoverned spaces. The perilous sea journey, often in overcrowded and unsafe boats, is a last resort by many fleeing poverty, conflict and persecution.²¹ Despite the risks, thousands of migrants continue to make this journey each year.

The Displacement Tracking Matrix identified a significant presence of migrants across Libyan municipalities, reflecting the persistent nature of migration through the country despite its instability.²² During the 2015 European migration crisis, 300 000 Libyans were estimated to have migrated via the Mediterranean Sea to Italy, 7 491 of whom were reported to have died. According to the Mixed Migration Centre in 2023, 52 034 migrants from Libya migrated to Italy with 1 897 dying at sea.²³

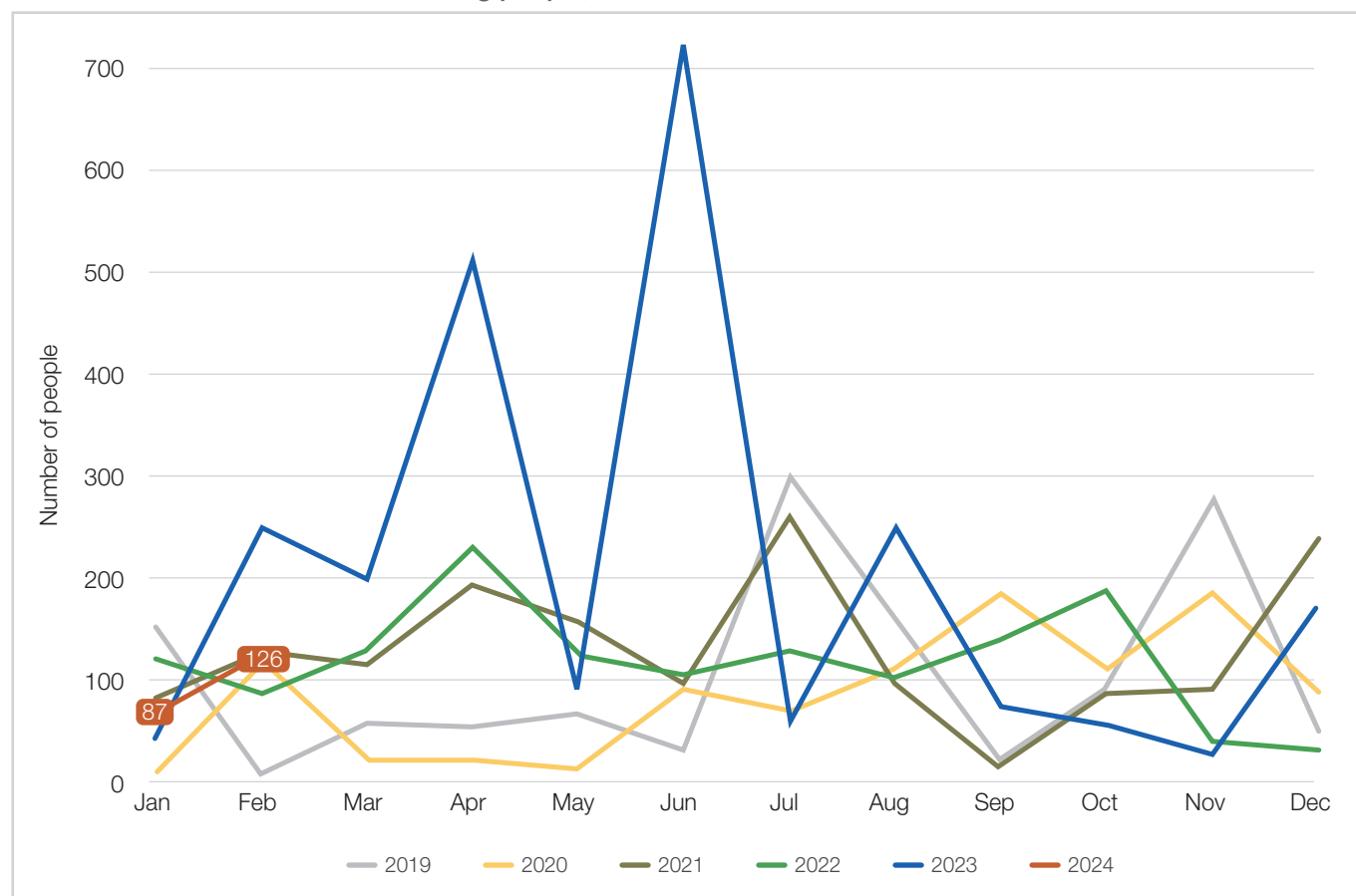
Migrants often travel through Niger to reach Libya using established smuggling routes that exploit the vast,

unmonitored desert areas. These routes are fraught with danger, exposing migrants to extreme conditions such as dehydration, starvation and violence from smugglers. Interviews show migrants endure harsh living conditions, with their humanitarian needs being critical. According to the IOM, the primary needs of migrants in Libya include access to healthcare, clean water, sanitation and hygiene services. Additionally, migrants face difficulties in finding employment, especially in the formal sector.

The sea journey, often in overcrowded and unsafe boats, is a last resort by many fleeing poverty, conflict and persecution

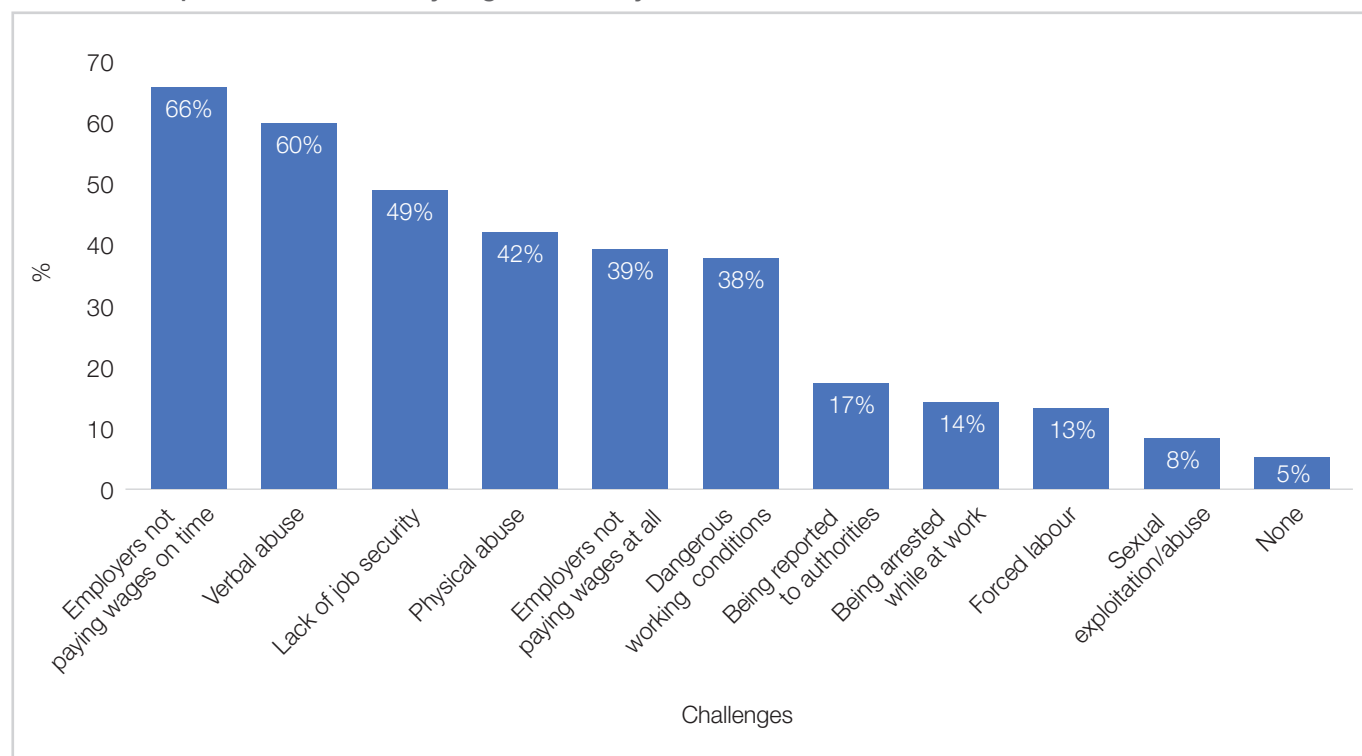
The situation in Libya is further complicated by the existence of many detention centres where migrants are often held in appalling conditions. There are widespread reports of human rights

Chart 3: Number of deaths and missing people, Central Mediterranean Route, 2019–2024



Source: IOM Libya Migrant Report, 2024

Chart 4: Workplace abuse faced by migrants in Libya



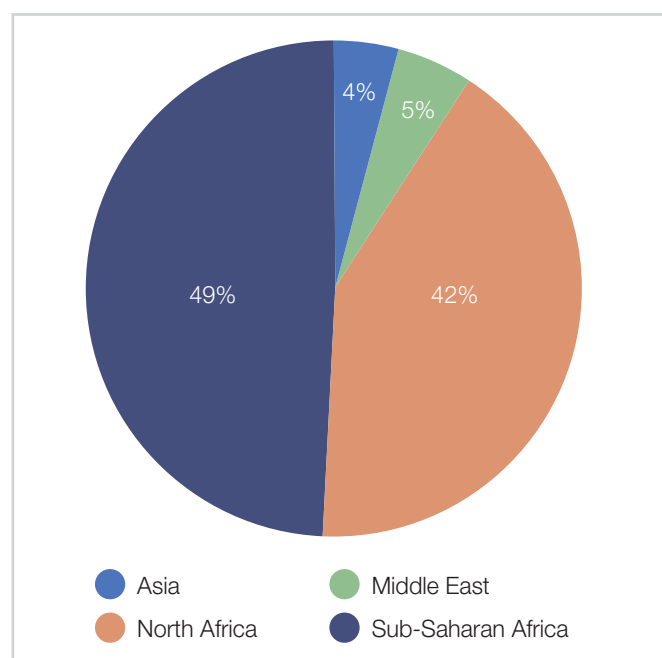
Source: Adapted from Mixed Migration Centre Report, 2024

violations, including torture, forced labour and sexual exploitation, which have attracted international criticism and highlighted the need for better migration management and humanitarian help.²⁴ While the IOM and other international organisations provide aid, support voluntary return programmes and offer emergency help, these initiatives are severely hampered by Libya's unstable security environment and lack of a unified government.²⁵

Libya has faced significant political and social challenges that have affected its ability to manage migration. Since 2011, the country has been in a state of turmoil, characterised by civil war, fragmented governance and rival factions competing for control.²⁶ This absence of a unified government has made it difficult to establish and enforce coherent policies. Consequently, Libya has become a focal point for irregular migration and human trafficking networks. Traffickers and smugglers have exploited this instability.²⁷

The internal conflicts have exacerbated the challenges migrants face. The fragmented state has led to a lack of centralised authority, making it challenging to control borders and regulate migration flows. This instability has

Chart 5: Regional distribution of migrants



Source: Adapted from IOM Libya Migrant Report, 2024

also resulted in widespread violence and human rights abuses against migrants, who are often caught in the crossfire between warring factions.

According to a United Nations High Commissioner for Refugees (UNHCR) report, migrants face arbitrary detention, forced labour and sexual exploitation in Libya's detention centres. An interview with an expert revealed: 'The absence of a stable government and continuous fighting among militias make it nearly impossible to implement effective migration management strategies. There are different packages offered by the smugglers; the more expensive packages are designed for elites and ensure that they reach their destination faster and safer. Conversely, the cheaper the package, the higher the risk for the migrants.'²⁸

Smugglers have created well-organised networks that often involve local militias and corrupt officials who profit from the trade. An expert described the situation this way: 'The migrants are promised safe passage to Europe, but instead, they are held in horrible conditions and forced to pay more money to continue their journey.'²⁹

Migration governance

In the mid-20th century, Libya's demand for cheap labour, driven by its burgeoning oil and gas industry, led to an influx of migrants primarily from neighbouring countries including Chad, Egypt, Niger and Tunisia. Over time, migrants from other parts of Africa also arrived in search of work. Libya's open-door policy towards foreign labour was initially shaped by the Pan-Arab policy in 1969, which encouraged Arab migration.³⁰ This approach evolved in the 1990s into a broader Pan-African policy,³¹ facilitating African migrants' entry and residence through bilateral and multilateral agreements with Chad and Sudan.

Libya's migration management framework involves two main institutions: the Ministry of Interior and the Ministry of Labour. The Ministry of Interior's Department for Combating Illegal Migration oversees measures against illegal migration and manages detention centres. Following the 2011 conflict, local militias often assumed roles in controlling migrant movements and running these centres. Meanwhile, the Ministry of Labour handles legal labour migration, including oversight of the coast guard's search and rescue operations, the Customs administration's border controls and the border guard's patrol duties, with the Ministry of Defence managing overall land and sea border surveillance.

Libya's legislation on irregular migration imposes strict penalties on migrants who do not meet entry, exit or stay requirements, often leading to fines, deportation or imprisonment. Unlike many countries, Libya applies these measures to migrants who entered legally, but overstayed, as well as asylum seekers and those smuggled into the country.³² This rigid stance reflects Libya's tough approach to migration control, resulting in penalties that might be more leniently administered elsewhere. The country's reliance on militias for enforcement complicates migration management efforts, highlighting the need for comprehensive reforms and unified policies.

Libya's political instability, limited governance capacity and internal conflicts constrain its efforts to manage migration. The Government of National Unity, currently recognised by the international community as the legitimate authority, has tried to implement several migration management strategies, including enhanced cooperation with the EU to strengthen border controls, conduct anti-smuggling operations and intercept migrants crossing the Mediterranean Sea.³³

Human rights abuses in detention centres have led to criticism of the strategy to intercept and return migrants

One key element of these efforts is the support from the EU, which has invested in training and equipping the Libyan coast guard to prevent migrant departures and return intercepted migrants to Libyan shores.³⁴ The EU-Libya Memorandum of Understanding, initially signed in 2017, underpins this cooperation, and focuses on curbing irregular migration. Despite this, the strategy of intercepting and returning migrants has faced criticism due to reports of human rights abuses in the detention centres, which are often overcrowded and lack necessities.

Libya's policies include initiatives to combat human trafficking and smuggling networks, with the help of international partners, aiming to disrupt the operations of these criminal groups. However, the lack of a robust national asylum system and clear legal frameworks for protecting migrants and asylum seekers remains a gap

in the country's migration governance. The absence of formal recognition for refugees, coupled with the country's reliance on detention and deportation, means many migrants are left in precarious situations.

The lack of resources and coordination among different governmental and non-governmental entities further compromises policies' effectiveness. International organisations such as the UNHCR and IOM have provided humanitarian aid and advocated for the protection of migrants' rights, but their efforts are hampered by the volatile security situation. One of the key informants highlighted this issue: 'The ability to provide aid is severely limited by the security situation. Humanitarian organisations are constantly negotiating access with various factions, and this makes it difficult to deliver consistent support.'³⁵

Various militias and armed groups control different parts of Libya, each with their own agendas and sources of funding

International efforts to address the causes of migration and improve conditions have had limited success. Since 2016, the EU has given financial support to the governments of Libya, Niger and Tunisia through the EU Emergency Trust Fund.³⁶ This funding helps equip and train security forces, including the Libyan and Tunisian coast guards to intercept migrants and prevent them from reaching Europe. The EU's €800 million initiative also supports the Libyan Ministry of the Interior and its Directorate for Combating Illicit Migration, which oversees around 10 official detention centres such as Abu Salim, Tariq al-Sikka, Ain Zara, al-Homs and Zlitan.

Additionally, militias, some allegedly receiving backing from European nations, including Italy, run unofficial detention centres.³⁷ One of these centres, Dhar el-Djebel, is a tightly secured facility inaccessible to non-governmental organisations. Migrants in this centre face harsh conditions, rarely see daylight and must often climb out using ropes.

The Libyan economy, weakened by years of conflict, also plays a role in migration dynamics.³⁸ The economic instability has led to high unemployment rates pushing many Libyans and migrants to engage in smuggling and

trafficking as a means of survival. This desperation has entrenched the smuggling networks, making it even more difficult to dismantle them. The lack of economic opportunities in Libya continues to drive both internal and external migration.

Another significant aspect of migration management is the international dimension. Libya's strategic location has made it a focal point for regional and international actors, each with their own agendas. The EU has been heavily involved in trying to curb the flow of migrants from Libya to Europe. This involvement includes financial aid, training programmes for the Libyan coast guard and development projects, but these have been criticised for prioritising border control over the protection of migrants' rights.

Human rights organisations have also highlighted the dire conditions faced by migrants. Reports of abuse, exploitation and violence are widespread as many migrants find themselves trapped in a cycle of detention and extortion. The international community has called for greater accountability and better protection, but progress is slow. A key informant said: 'The conditions in Libyan detention centres are appalling, and there is an urgent need for international intervention to protect migrants from abuse.'³⁹

The diverse and often conflicting interests of local actors further illustrates the complexity of migration management in Libya. Various militias and armed groups control different parts of the country, each with their own agendas and sources of funding. Some of these groups are directly involved in smuggling and trafficking, while others benefit indirectly by taxing the flow of migrants through their territories. This fragmentation makes it difficult to implement cohesive and effective policies.

The migration crisis also affects local communities. The presence of large numbers of migrants puts pressure on local resources and infrastructure leading to tensions between migrants and host communities. This is exacerbated by the economic and political instability in the country, which limits the ability of local authorities to provide adequate support to both migrants and residents.

According to one of the interviewees: 'There is a need for more support from the national government and

international organisations to manage this situation. The concerns of the local communities where migrants end up living or are held hostage by smugglers should not be brushed off. These communities feel the brunt of such influx as they have to compete for resources and livelihood opportunities with the migrants.⁴⁰

In conclusion, Libya's political and social challenges severely hamper migration management. The impact of internal conflicts and instability has created fertile ground for smuggling and trafficking networks to flourish. While current policies and international cooperation efforts aim to address these issues, the fragmented nature of the state and the continuous violence limits their effectiveness. Interviews with key stakeholders and reports from international organisations underscore the urgent need for a comprehensive and coordinated approach.

Migration management in Tunisia

Contextual analysis

Tunisia has become a transit hub in the Mediterranean migration routes, primarily for sub-Saharan Africans from countries such as Sudan, Chad, Guinea and Mali aiming to reach Europe.⁴¹ Initially, political and economic issues pushed Tunisians to migrate, but by 2022, sub-Saharan

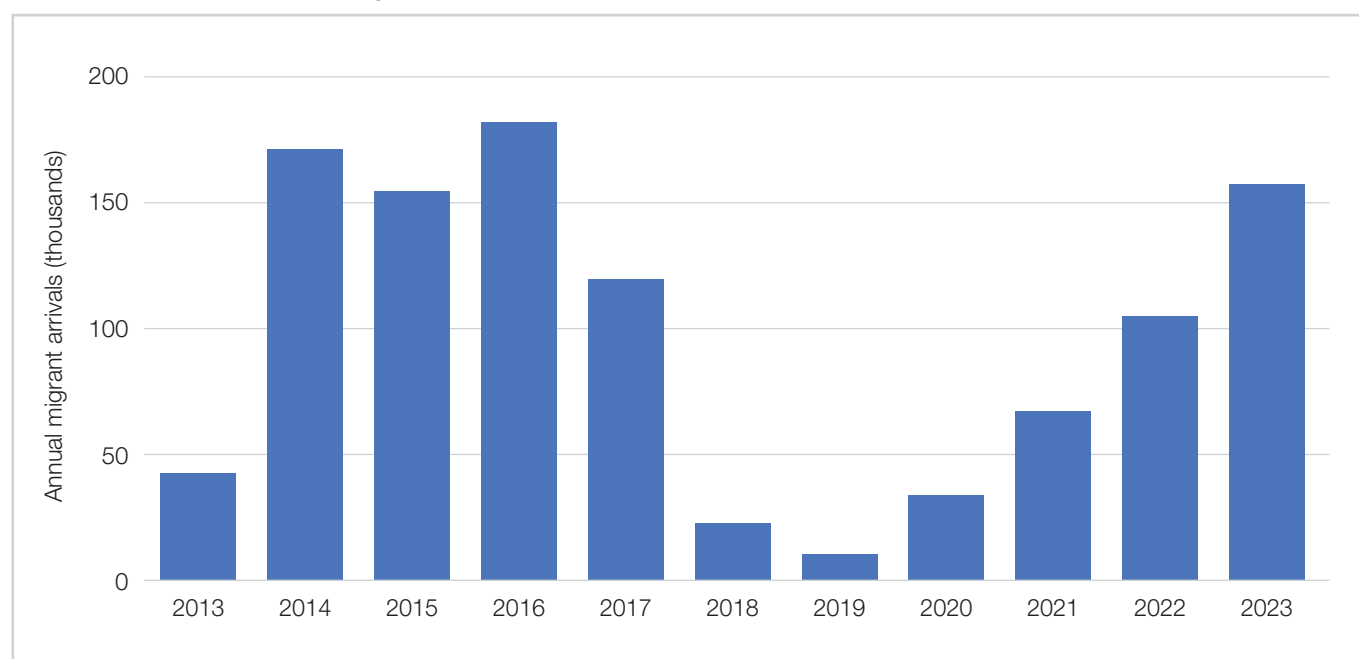
Africans surpassed them in number. Political instability in the Sahel, conflict in Libya and economic hardships worsened by COVID-19 drove this influx. The situation worsened in 2023 following a speech by President Kais Saied, which increased the racism against sub-Saharan Africans, prompting many to seek refuge in Europe.

The exact number of refugees and migrants in Tunisia is uncertain.⁴² In 2023, about 16 500 people were officially registered with the UNHCR.⁴³ In 2017, Libya was the departure point for 91% of migrants arriving in Italy, making it the main transit hub, but Tunisia's role in migration has grown significantly since then. By 2019, 36% of sea crossings to Italy originated from Libya and 32% from Tunisia.⁴⁴

In 2020, Tunisia accounted for 43% of sea arrivals to Italy, compared to Libya's 38%. The trend peaked in 2023, with 61% of arrivals to Italy leaving from Tunisia and 33% from Libya. Migrant numbers increased dramatically from 11 500 in 2019 to 157 300 in 2023.⁴⁵

Tunisia also saw a shift in the composition of its migrants leaving. Of the 3 600 migrants leaving Tunisia in 2019, 2 600 were Tunisians. By 2023, out of 97 300 sea arrivals in Italy from Tunisia, only 17 300 were Tunisians, indicating a decline to 18%.⁴⁶ Migrants arriving in Italy included 12% from Guinea, 11% each from Tunisia and

Chart 6: Annual arrivals to Italy, 2013–2023



Source: H Meddeb & F Louati, Carnegie Endowment for International Peace, March 2024

Côte d'Ivoire and smaller percentages from Burkina Faso, Mali and Sudan.⁴⁷

The Tunisian Interior Ministry reported intercepting 70 000 migrants in 2023, a significant rise from 31 297 in 2022.⁴⁸ Of these, 77.5% were sub-Saharan migrants, highlighting a shift from 2022, when 59% were foreign migrants and 41% were Tunisians.⁴⁹

Tunisia's proximity to Italy has made it a strategic transit point for migrants looking to reach Europe. Smuggling networks have capitalised on this. Compared to the perilous routes through Libya, Tunisia offers a safer and more accessible passage, making it the preferred choice for many migrants.⁵⁰

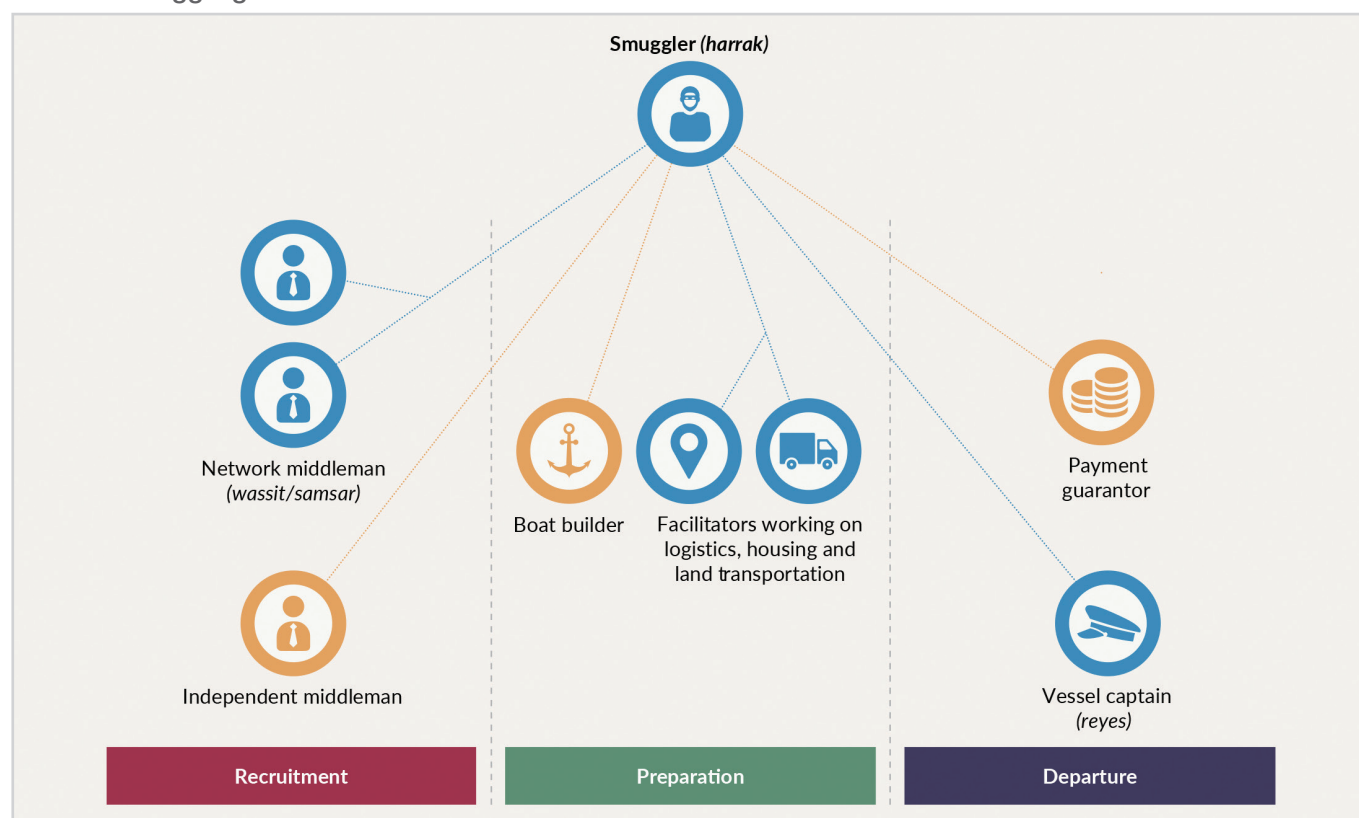
Smuggling networks have complicated Tunisia's efforts to manage its borders and migration flows. While these organised groups remain crucial in facilitating irregular migration, self-smuggling, where migrants navigate their own journeys, is a growing trend.⁵¹ This shift is driven by an increased awareness of available routes, access to technology and a desire to avoid the high costs and risks associated with smugglers.

Smuggling networks have become highly sophisticated, quickly adapting to changes in Tunisia's immigration policies or border control measures. The Tunisian government faces significant challenges in curbing these activities, especially with limited resources and security personnel. Despite efforts to combat smuggling, the absence of comprehensive migration laws has hindered the country's ability to address its root causes and disrupt these operations effectively.

Migration governance

Historically, Tunisia was primarily a country of emigration, with many Tunisians seeking opportunities abroad, particularly in Europe. Economic challenges, political repression and the quest for better living standards drove this trend. During the 1960s and 1970s, Tunisia entered into bilateral agreements with several European countries, including France, Germany and Italy, to ease labour migration.⁵² These agreements allowed Tunisians to work abroad legally, contributing to the development of their host countries while also sending remittances home.

Chart 7: Smuggling networks



Source: Global Initiatives Report, 2024

In the decades that followed, Tunisia's role in the migration landscape began to shift. The country became increasingly important as a transit and destination point for migrants from sub-Saharan Africa. This shift was partly due to Tunisia's relative political stability compared to its neighbours, particularly during periods of intense conflict and instability in Libya.

However, the Arab Spring in 2011 led to the ousting of long-time president Zine el-Abidine Ben Ali and initiated a democratic transition that, while tumultuous, created a more open and dynamic political landscape.⁵³ In the years following the revolution, Tunisia faced new migration challenges. The influx of migrants from conflict-ridden countries, such as Libya and Syria, put pressure on its resources and infrastructure. In response, the government began to develop more comprehensive policies, focusing on both security and humanitarian aspects.⁵⁴ These policies aimed to manage migration flows while protecting migrants' rights.

Tunisia's immigration policies have evolved into a complex framework aimed at regulating the movement of people into, through and out of the country. Four critical components shape Tunisia's migration approach: bilateral agreements with African, Maghreb and European nations; the Organic Law 2004-6 addressing irregular migration and human smuggling; the Organic Laws 1968-7 and 1975-40 regulating the entry, stay and legal status of foreign nationals; and the challenges tied to asylum and protection due to the absence of a national asylum policy.⁵⁵ These elements define how Tunisia manages migration.

Tunisia's bilateral agreements with African, Maghreb and European nations play a pivotal role in structuring the entry, residence and formal labour market access for foreign nationals. They aim to facilitate legal migration, address labour market demands and manage migration flows in ways that benefit both Tunisia and its partner countries.⁵⁶ By providing a regulated framework for mobility, these arrangements help ensure migrants enter legally, find employment in structured sectors and contribute to economic development.

Despite these advantages, the agreements face challenges, such as inconsistent implementation, resulting in varying conditions and opportunities for migrants depending on the partner country. This

inconsistency creates unequal access to labour markets for migrants, depending on the nation involved. Furthermore, the agreements often prioritise relationships with European countries, potentially neglecting the importance of regional African migration, which is vital for economic integration and development within the continent. Additionally, Tunisia has set up agreements with sub-Saharan African nations including Côte d'Ivoire, Mali and Guinea, allowing Tunisian authorities to waive penalties for undocumented migrants who choose to return to their home countries.⁵⁷

The influx of migrants from conflict-ridden countries put pressure on Tunisia's resources and infrastructure

Organic Law 2004-6 is a key legislative tool designed to combat irregular migration and human smuggling in Tunisia.⁵⁸ It criminalises both the act of organising or easing irregular migration and attempts to migrate through unlawful channels. Its focus is on dismantling smuggling networks and deterring people from embarking on dangerous routes. While the law is a step towards aligning Tunisia with international standards, its focus on punitive measures presents significant challenges.⁵⁹

The law does not address the causes of irregular migration, such as limited legal migration pathways and economic constraints that force people to migrate illegally. As a result, migrants find themselves criminalised for their vulnerability rather than supported in finding safe and legal alternatives. Moreover, Tunisia's limited resources for border control and enforcement, which complicate efforts to effectively curb human smuggling operations, constrain the implementation of this law.

The Organic Laws of 1968-7 and 1975-40 govern the entry, stay and legal status of foreign nationals, establishing a structured legal process for migrants to gain residence in the country.⁶⁰ These laws outline the procedures and requirements for obtaining visas and residency permits, defining the rights and responsibilities of foreign nationals. They provide a legal basis for managing migration flows and integrating migrants into society in a way that promotes social cohesion and national security.

Despite the structure these laws provide, their practical implementation is challenging. The bureaucratic complexity involved in obtaining legal residency often discourages migrants from pursuing official status. This procedural burden not only affects individual migrants, but also hampers Tunisia's ability to check and regulate its foreign population. Furthermore, the laws do not adequately respond to contemporary migration challenges, such as the increasing number of people forced to migrate due to conflicts, environmental changes or economic instability. Migrants in low-skilled or informal sectors are still particularly vulnerable to exploitation, as these laws offer limited protections against labour abuses.

One of the most significant gaps in Tunisia's migration policy is its approach to asylum and refugee protection. Although the country has ratified the 1951 Refugee Convention and its 1967 Protocol, it lacks a comprehensive national asylum policy, leaving many asylum seekers and refugees without a clear legal status or pathway to protection.

Implementation of the laws against human trafficking has been weak, leaving sub-Saharan migrants vulnerable to exploitation in the labour market

In practice, this means asylum seekers must rely heavily on international organisations such as the UNHCR for help and protection.⁶¹ This reliance on external actors creates a gap in national ownership of refugee protection and limits the country's ability to integrate refugees socially and economically. The absence of a national asylum policy leaves asylum seekers in a state of uncertainty, without access to basic rights such as healthcare, education and employment, further marginalising these vulnerable populations.

While Tunisia has become a regional destination for migration, it has not modernised its migration laws. Despite its constitutional obligations and adherence to international treaties such as the African and UN refugee conventions, it has not enacted legislation guaranteeing the right to seek asylum. Following the 2011 revolution, Tunisia started efforts to develop a national migration strategy aimed at enhancing migration's contribution to development. The first draft was adopted in 2012, revised in 2015 to align with national development goals and refined in 2017 following consultations with international and local stakeholders.⁶² It has yet to be formally adopted.

Implementation of the laws against human trafficking enacted in 2016 and 2018, has been weak, leaving sub-Saharan migrants vulnerable to exploitation in the labour market.⁶³ This situation has worsened under Saïed, who has relied on repressive measures and security forces to manage migration rather than enacting protective reforms. The restrictive Organic Law 2004-6 continues to govern migrants.⁶⁴ Even those entering the country legally face bureaucratic hurdles in obtaining residence permits.

TUNISIANS ACCOUNT
FOR ABOUT

70%

OF DEPORTEES FROM ITALY
EACH YEAR

Unauthorised migrants face even harsher conditions due to their lack of legal status, which limits their mobility, access to services and exposes them to exploitation. Those who overstay their 3-month limit face a severe penalty of 3 000 Tunisian dinars, pushing many to remain in the country illegally.⁶⁵ Although Tunisia signed visa exemption agreements with several sub-Saharan countries between 2014 and 2019, the inconsistency in its migration policies traps migrants in precarious conditions if they overstay.⁶⁶

Tunisia's relationship with the EU heavily influences current diplomatic and strategic approaches to migration. Post-revolution, the country has been under EU pressure to manage migration flows and enforce border controls. This dynamic is clear in various bilateral agreements, such as the mobility partnership with the EU, which aims to regulate migration through cooperation on border management and the readmission of irregular migrants. The EU's influence is also visible in supporting projects to integrate migration with local development, such as ProGrès Migration programme and the Migration and Development Integrated Programme.⁶⁷

An analysis of Tunisia's migration dynamics reveals challenges and contradictions in the EU's externalisation strategy. Despite Italy's longstanding policies, Tunisians account for about 70% of deportees each year, yet this number remains low – under 2 000 annually. Tens of thousands continue to arrive in Italy.⁶⁸ Legal protections, such as asylum rights and the European Convention on Human Rights, limit deportations, complicating Italy's attempts to repatriate migrants. Efforts to bypass these rights have led to legal issues for Italy.

In 2023, the EU and Tunisia signed a migration agreement emphasising sustainable development over traditional border security. While this deal included €150 million in budget support and €900 million in macroeconomic aid tied to International Monetary Fund reforms, only one of its five pillars explicitly focused on migration.⁶⁹ Criticism arose due to the deal's potential to empower Saïed's authoritarian regime, which has been accused of severe human rights violations against migrants. Saïed's stance against externalisation, his rejection of EU funds as inadequate and his reluctance to function as Europe's border guard highlight tensions with EU objectives.

Internally, the agreement caused rifts within the EU, with Germany and others opposing unconditional funding without International Monetary Fund reforms. This discord reflects broader EU challenges in achieving a cohesive migration policy. Meanwhile, the rise in crossings and Tunisia's administrative struggles suggest the strategy of border externalisation is failing. It empowers authoritarian regimes and jeopardises migrant rights, destabilising the region and driving even more migration flows.

Initiatives such as these have had a profound impact on migration flows through Tunisia. The focus on securitisation and externalisation of EU migration controls has led to an increase in irregular migration. Migrants often face harsh conditions and limited legal avenues for migration, pushing them towards dangerous ones. Moreover, the EU's financial support has not always translated into effective migration management, as evidenced by the socio-economic challenges in Tunisia that continue to drive migration.

EU legal protections such as asylum rights, limit deportations and complicate Italy's attempts to repatriate migrants

A policy analyst criticised these strategies, saying: 'The reliance on EU-driven migration policies has significant shortcomings. While these agreements and programmes such as ProGrès Migration and the Migration and Development Integrated Programme are designed to regulate migration, they often neglect the local socio-economic context and the needs of our communities. The EU's priorities do not always align with those of Tunisia, leading to policies that may control migration, but fail to support sustainable development or address the root causes of migration. There is a need for a more balanced approach that considers our national interests and the well-being of both migrants and local populations.'⁷⁰

Tunisia's approach to migration is a blend of structured agreements, targeted legislation and significant gaps, particularly in refugee and asylum management. While bilateral agreements offer a framework for legal migration, their uneven implementation and focus on

European countries limit their effectiveness. Laws aimed at curbing irregular migration and regulating the stay of foreign nationals provide a legal structure, but also reveal substantial bureaucratic hurdles for migrants. The absence of a national asylum policy is still one of the most pressing issues.

To create a more cohesive migration management system, Tunisia will need to address these gaps by enhancing legal pathways for migrants, fostering greater regional cooperation and setting up a robust national asylum policy that aligns with its international commitments.

Migration management in Egypt

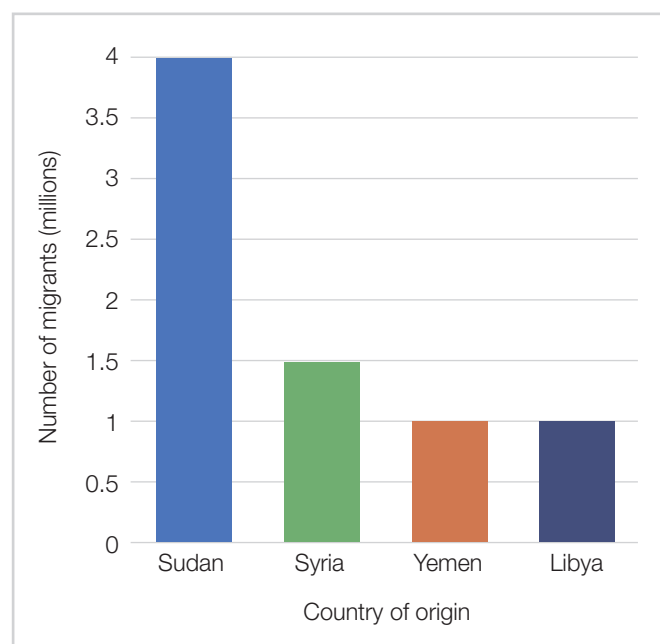
Contextual analysis

According to a 2022 IOM report, Egypt hosts around nine million migrants, which accounts for about 9% of its overall population. This group includes legal migrants, refugees, asylum seekers and those with irregular status, living in Cairo, Giza, Alexandria and Damietta. The largest groups of migrants come from Sudan (four million), Syria (1.5 million), Yemen (one million) and Libya (one million), largely due to the political instability in the Middle East and North Africa.⁷¹ These statistics highlight the EU's growing interest in strengthening migration cooperation with Egypt, given the persistent instability in the region could lead to further migration.

Since the onset of the conflict in Sudan and as of March 2024, over 514 827 Sudanese and other nationals have entered Egypt through its southern border. With peace efforts in Sudan struggling to make headway, the number of arrivals is likely to increase.

In response to the conflict, Egypt imposed stricter visa regulations for Sudanese citizens, regardless of their asylum status. These requirements have resulted in lengthy delays at the border and spurred an increase in visa forgery. The situation has also pushed migrants towards riskier routes, particularly those who cannot secure visas or sustain themselves in northern Sudan during the waiting period. Developments indicate overcrowded detention facilities, police raids in migrant communities, deportations and forced returns to Sudan. Many migrants are choosing to continue their journeys elsewhere due to delays in registration and limited access to essential services in Egypt.

Chart 8: Migrant population in Egypt by country of origin, 2022



Source: Adapted from Mixed Migration Centre, 2024

With its significant population and strategic position, Egypt serves as both a source and transit country for migrants. The government has implemented stricter border controls and cooperates with the EU to curb irregular migration.⁷² This cooperation includes enhancing border security, sharing intelligence and developing programmes to reduce the incentive for irregular migration. Despite these efforts, economic challenges and political instability continue to drive migration flows.

Migrants often transit through Egypt on their way to Libya and beyond, highlighting the interconnected nature of migration routes in North Africa. Egypt's location makes it a gateway for migrants from East Africa and the Horn of Africa.⁷³ Many of them aim to reach Europe via Libya, taking advantage of established smuggling networks to arrange their journey across the Mediterranean.

The government's efforts to control migration are complicated by its vast and difficult-to-monitor borders.⁷⁴ This has led to a continual flow of migrants who bypass official checkpoints, relying instead on clandestine routes. The international community has recognised the importance of supporting Egypt in its migration

management efforts, providing financial and technical help to strengthen its border controls and improve its capacity to manage migration flows humanely.⁷⁵

Despite these collaborations, the sheer scale of migration pressures, coupled with Egypt's internal economic and political challenges, means managing migration remains a significant and ongoing issue. Egypt continues to play a pivotal role in regional migration dynamics acting as a key partner in efforts to address the complex migration flows in North Africa.

Migration governance

Egypt's migration policies have evolved significantly over the past century, reflecting its strategic geopolitical position and socio-economic dynamics. Historically, Egypt has been both a destination and a transit country for migrants. Following the 1952 revolution, its policies shifted to accommodate the influx of refugees from neighbouring conflicts and economic migrants from sub-Saharan Africa.⁷⁶ The country hosted significant populations of refugees, including Palestinians, Sudanese, and more recently, Syrians and Yemenis, in response to regional conflicts.

Successive Egyptian regimes have adjusted the country's policies to pursue various economic or political goals and engage with new partners. These policies, evolving since the 1950s, reflect different aims across five main phases. Under past president Gamal Abdel Nasser, from 1952 to 1970, labour migration was strictly restricted, with exceptions for short-term secondments for highly skilled professionals to developing countries.⁷⁷ This policy aimed to signal self-sufficiency to the Western bloc, bolster Nasser's Pan-Arabist agenda and support anticolonialism and newly independent countries in the Arab region and beyond.

President Mubarak's permissive emigration policies delivered high remittances and eased national labour market pressures

The approach shifted dramatically under president Anwar el-Sadat from 1970 to 1981, who adopted a permissive emigration policy to dissociate from Nasser's regime and boost the flailing economy.⁷⁸ He encouraged Egyptian migration to neighbouring countries and the Western bloc, as enshrined in the 1971 constitution, which granted all Egyptians the right to emigrate and return home at any time. Law No. 73 of the same year supported this by allowing public sector employees to return to their jobs a year after resignation, later extended to two years.⁷⁹ Consequently, migrant remittances became a crucial part of Egypt's foreign exchange earnings.

During former president Hosni Mubarak's 30-year regime, from 1981 to 2011, these permissive emigration policies persisted, delivering high remittances and reducing pressure on the national labour market.⁸⁰ Emigration was enshrined as a lever for development at macro and micro

EGYPT HOSTS AROUND NINE
MILLION MIGRANTS, WHO
MAKE UP ABOUT

9%

OF ITS OVERALL POPULATION

levels, with the responsibility placed under the Ministry of State for Emigration and Egyptian Expatriates Affairs, created in 1981. The Emigration and Sponsoring Egyptians Abroad Law, No. 111 of 1983 further promoted Egyptian migration.

The period from 2011 to 2013 marked economic and political instability in Egypt and the region, coinciding with major turbulence in Syria and Libya. The government sought to maintain connections with Egyptians abroad, granting them political rights for the first time and allowing participation in the 2012 constitutional referendum and elections.⁸¹ During this time, the emigration portfolio was split between the Ministry of Manpower and the Ministry of State for Migration and Egyptian Expatriates Affairs. Concurrently, authorities faced large numbers of incoming irregular migrants and refugees, increasingly viewing immigration as a security issue managed by the Ministry of the Interior.

Recent policy shifts in Egypt reflect an emphasis on border security and stringent migration controls

Since 2013, President Abdel Fattah el-Sisi has redefined migration priorities to consolidate his legitimacy, seeking support from Egyptians abroad and nurturing diaspora relationships. The 2014 constitution emphasised rights for Egyptians abroad, including the right to vote and be represented in the House of Representatives. It also laid the groundwork for stricter border controls, reinforcing partnerships with European neighbours keen on providing financial, technical and diplomatic support. Consequently, Egypt consolidated its legal framework on migration, reinforced border controls and criminalised smuggling with Law No. 82 of 2016 on Combating Illegal Migration and Smuggling of Migrants.⁸²

In recent decades, the government has moved to modernise and formalise its migration policies. The National Strategy on Combating Illegal Migration, introduced in 2016, and the National Strategy on Migration in 2017, reflect the government's commitment to addressing irregular migration and improving legal migration channels. These strategies emphasise the need for better integration of migrants, enhanced border

security and robust measures against human trafficking and smuggling.

The introduction of Law No. 82 marked a significant legislative effort to provide a comprehensive legal framework to address human trafficking and migrant smuggling.⁸³ This law criminalises smuggling activities and provides protection for victims, reflecting Egypt's alignment with international legal standards.

Socio-economic factors are crucial in understanding Egyptian migration dynamics. The country faces high unemployment rates, particularly among the youth, with the World Bank reporting an overall unemployment rate of 9.6% in 2021 and youth unemployment significantly higher at around 22%.⁸⁴ Economic challenges such as inflation, currency devaluation and limited job opportunities exacerbate the situation, driving both Egyptians and foreign nationals to seek better opportunities abroad or use Egypt as a transit route to Europe.

The COVID-19 pandemic further strained Egypt's economy, leading to contractions in key sectors such as tourism and remittances. These economic hardships are not just a push factor for outward migration, but also make Egypt an attractive destination for migrants from war-torn regions such as Sudan, Syria and Libya. The presence of about nine million migrants, including authorised migrants, refugees, asylum seekers and those in irregular situations, underscores the socio-economic pressures and opportunities that drive migration in and through Egypt.⁸⁵

Egypt's diplomatic stance and collaborations significantly shape its migration management policies. The country has actively engaged with the EU to curb irregular migration, focusing on strengthening border controls and combating human trafficking. The 2023 strategic partnership agreement with the EU, which included substantial financial support, aimed at enhancing Egypt's border security and managing migration flows, exemplifies this collaboration. This partnership underscores Egypt's pivotal role in regional migration governance and its commitment to balancing humanitarian needs with security concerns.

Egypt's migration policies have a significant impact on regional migration dynamics. Its strategic position as a bridge between Africa and the Middle East makes it a

crucial player. According to Human Rights Watch, its strict border controls and cooperation with the EU have reduced irregular migration flows, but they have also led to unintended consequences.⁸⁶ For instance, tighter border controls have pushed migrants towards more dangerous and clandestine routes, increasing their vulnerability to exploitation and abuse by smugglers and traffickers.

Recent policy shifts in Egypt reflect an increased emphasis on border security and stringent migration controls. The introduction of new visa restrictions for Sudanese nationals amid the Sudanese conflict has led to long waiting times at borders and a rise in irregular migration routes.⁸⁷ These measures, while aimed at controlling migration, have also resulted in unintended consequences, such as overcrowded detention centres and increased human rights abuses.

As regional dynamics continue to evolve, Egypt's approach to migration will remain critical in shaping the broader North African migration landscape

Egypt's approach to migration management differs from that of Libya and Tunisia. Unlike Libya, where political instability and conflict have led to rampant smuggling and trafficking networks, Egypt has kept relatively stable governance structures that allow for more systematic migration control. Tunisia, on the other hand, has faced challenges in integrating migration into its national development strategies despite international support and funding. Egypt's engagement with international partners and strategic use of financial aid positions it as a more robust actor in regional migration management.

Despite these efforts, the country continues to face challenges in managing migration flows. Its large population and economic difficulties mean migration is still a critical issue. Additionally, volatility marks the political landscape in Egypt, with frequent changes in government and debate about the best approach to migration management. The country's policies reflect a delicate balance between controlling migration flows and addressing humanitarian needs. As regional dynamics continue to evolve, Egypt's approach to migration will remain critical in shaping the broader North African migration landscape. The insights from stakeholder interviews further underscore the challenges in achieving effective migration management.

Regional and international implications

Migration governance in North Africa, specifically in Libya, Tunisia and Egypt, has profound regional implications, particularly in relation to the AU's Free Movement Protocol. The policies and practices of these countries play a crucial role in shaping both internal stability and broader migration dynamics across the region. Libya's ongoing instability and fragmented governance have transformed it into a hub for smuggling and trafficking networks, which

SINCE SUDAN'S CIVIL
WAR STARTED

>514 827

SUDANESE AND OTHER
NATIONALS HAVE
ENTERED EGYPT

undermines regional security and disrupts efforts to set up coherent migration management in neighbouring countries. This instability not only complicates Libya's role as a transit state, but also poses significant challenges for regional mobility.

Tunisia's migration governance, while influenced by its evolving partnerships with the EU, has been marked by a focus on border security over the AU's vision of regional integration and free movement. The bilateral agreements between Tunisia and European nations aim to control migration flows into Europe, but often come at the expense of fostering intra-regional mobility within Africa. This externalisation of migration controls tends to prioritise European interests over the goals of the AU Free Movement Protocol, limiting the potential for seamless movement across African borders.

The migration policies of Libya, Tunisia and Egypt reveal a tension between the EU and AU visions of regional mobility

Egypt's strategic collaboration with the EU has helped curb irregular migration to Europe through enhanced border controls. However, this approach also diverts attention from aligning with the AU's aims of promoting mobility and economic integration within the continent. The focus on securitisation has driven migrants towards riskier routes and overshadowed the need to address the root causes of migration, such as economic instability and limited job opportunities in the region.

Collectively, the migration policies of Libya, Tunisia and Egypt reveal a tension between external pressures from the EU and the AU's vision of regional mobility. This

misalignment complicates efforts to develop a cohesive regional strategy that balances security concerns with the promotion of free movement, economic growth and human rights in North Africa.

Conclusion

Effective migration governance in North Africa remains a complex challenge, shaped by political instability, socio-economic pressures and international dynamics. Libya, Tunisia and Egypt each face distinct obstacles that need tailored solutions. Libya's fragmented state control has facilitated smuggling networks and human rights violations against migrants, underscoring the need to strengthen state institutions and centralise governance. Tunisia's evolving role as a transit hub highlights the limitations of externalised EU policies, making a compelling case for developing a national asylum framework that aligns with African migration objectives. Egypt's focus on border security must evolve towards enhancing economic stability and intra-regional mobility.

Addressing these issues demands a shift from migration control to a balanced approach that integrates security, development and human rights. This requires a concerted effort to align national policies with the AU's Free Movement Protocol and a commitment to fostering regional cooperation and capacity building. The path forward lies in transforming migration challenges into development opportunities, ensuring policy reforms prioritise migrant dignity and protection while supporting economic growth and stability. By advancing cohesive strategies across Libya, Tunisia and Egypt and reinforcing international and regional partnerships, North Africa can move towards a more sustainable and humane model of migration governance.

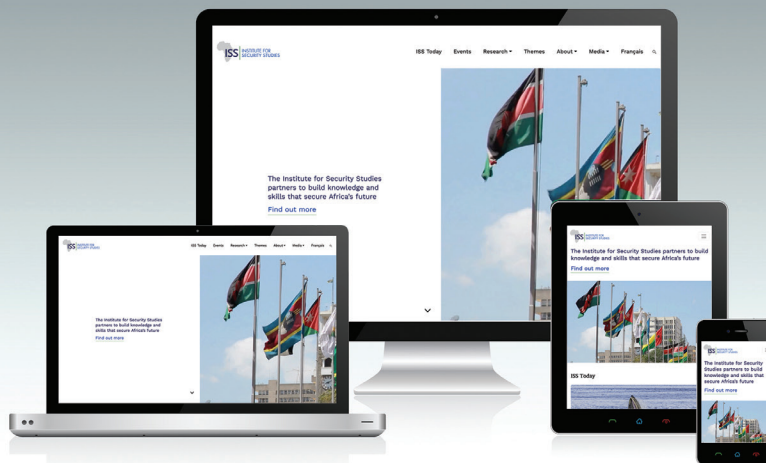
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About the author

Dr Margaret Monyani is a Senior Researcher working on migration at the Institute for Security Studies. Her research interests include gender migration and security.

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