

Libya: The Center of a Migrant Storm

By Elena Chrysafi and Elena Chrysafi, 5/4/2020

Nine years after the First Libyan Civil War, the humanitarian crisis in Libya continues to deteriorate. The First Civil War period was marked by armed confrontations, high levels of political strife and economic instability. The aforementioned situation has intensified feelings of insecurity among the general population and led to severe infrastructure damages, shortages of available cash and the dysfunction of social and public services. As a result, in 2019, about 1.6 million people were impacted by the Libyan humanitarian crisis, and 823,000, including 241,000 children, were in urgent need of humanitarian aid.

On a more alarming note, despite the fact that Libya has always been a migratory crossroad, migration rates have seen a 33% increase since 2014. More specifically, it was estimated that in May 2019, 641,398 migrants were temporarily residing in Libya. The migratory situation becomes increasingly more complex as there is no particular origin of Libya's migration waves. These migrants include asylum seekers, economic migrants, unaccompanied and separated children, environmental migrants, victims of trafficking and stranded individuals that have no means to move elsewhere. Due to prolonged conflict, these groups have limited access to healthcare and other basic social services such as education, sanitation, food and water. In addition, approximately 5,000 migrants and refugees are forced to live in detention centers in inhumane conditions. There, most migrants face torture, sexual abuse, gender based violence. It is not uncommon for them to be victims of human trafficking. Lastly, according to the United Nations High Commission for Human Rights (UNHCR), Libya has had to cope with a severe displacement situation since 217,002 displaced people from nearby regions have taken shelter inside the country.

90% of people crossing the Mediterranean Sea depart from Libya, and even though the European Union has provided the country with significant humanitarian funding, it has placed more conditions on its aid measures in order to discourage migration. Only last month (March 2020), a migrant boat carrying 49 people was returned from Maltese waters to Libya. According to the IOM (International Organization for Migration), the compulsory return of people from Maltese waters back to their respective countries, where they could potentially face the risk of persecution, is a breach of international law. As a result the E.U. has been a subject to criticism regarding its policy towards Libyan migration.

Additionally, the United Nations High Commissioner for Human Rights, the I.O.M and the E.U. have faced severe criticism for cooperating with the Libyan government and its militant entities. More specifically, former UNHCR employees claim that its presence in Libya legitimizes the unlawful return of migrants and their arbitrary detention. In addition, a UN audit of the UNHCR disclosed mismanagement of humanitarian funds and an inadequate assessment of the aid needed to combat the crisis. As a result, the UNHCR's competence to assist the vast number of migrants hosted in Libya has been questioned. Thus, concerned humanitarians worldwide ask themselves: Is the international community failing to give an adequate response to the Libyan humanitarian crisis?

Since 2015, the course of political, social and financial developments in Europe has been largely determined by one major factor: the migration crisis. With ongoing human rights violations and wars in Asia, the Middle East and South America, Europe has comparatively become a symbol of stability and hope. The appeal of safety and security of Europe attracts thousands of people that would otherwise possibly be suffering and persecuted in neighboring nations. These people, called “refugees”, follow three main routes to reach their “lifeline”: the Eastern, the Western and the Central. Specifically, the Central Route plays a key role to their exodus due to its geographical importance; it acts as the liaison between Africa and Europe. The country inherently assuming the role as liaison is Libya. Although Libya is the departure point for sub-Saharan African migrants, it has left its own citizens with no other alternative than to become refugees themselves.

After the coup that overthrew dictator Gaddafi in 2011, Libya had the “distinctive feature” of being called a “failed-state.” A “failed state is “a political body that has disintegrated to a point where basic conditions and responsibilities of a sovereign government no longer function properly.” The country has not yet found a legitimate leader. As of last April, the number of competitors for political power has dropped to two, which led to a civil war. Militias, constant instability, violence and weapons as the definitive means to power, have cost thousands of Libyan lives and have forced many more individuals to flee.

However, every time a conflict between the two governments takes place, Libyan refugees migrate to Italy. However, few survive the journey across the Mediterranean Sea.. Then, if the refugees are given the chance, they journey north. As more Libyan refugees realized that the route across the Mediterranean was a viable option, more people began to make the trek to freedom. Although Europe turned a blind eye at this at first, nations in the subcontinent later realized that they could no longer maintain an aloof stance towards the internal Libyan conflict. The alarmed European Union had already started to bear the manifold consequences of the influx of migrants in its member-states. These consequences include inescapable financial repercussions and obvious discontent from the European people. Thus, action had to be taken.

In order to handle any crisis, a country has to eliminate the root problem or prevent its consequences from affecting its population. The European Union attempted both, only to realize that the most feasible option was the latter. Putting an end to the Libyan crisis, apart from being a tremendously difficult task of its own, would mean that the EU had to take a unanimous stand. With France and Italy, however, supporting opposing sides, this effort proved to be impossible. Europe decided to resort to the second option: constraining the crisis’s impact outside the European borders.

To accomplish this task, the EU had to adopt a new, long term perspective on the migration crisis, extending its action further than the mere strengthening of the European-Mediterranean borders. In response, the Union initiated its own “war on smuggling.” In 2015, it launched the operation “Sophia”, which aims to counter human trafficking by disrupting criminal networks and their business model. The operation’s mandate has been reinforced by two additional undertakings: the training of the Libyan coastguards and navy, and the contribution to the implementation of the UN arms embargo on the high seas off the coast of Libya. In 2018, the EU Border Assistance Mission in Libya (EUBAM) amended its

mandate to actively support the Libyan authorities in the areas of border management, law enforcement and criminal justice, establishing a close cooperation with the national ministries.

Further action has been taken through the EU Emergency Trust Fund for Africa. The EUTF has substantially contributed to the establishment of a Gathering and Departure facility in Tripoli, which has initiated 48,000 voluntary humanitarian returns of migrants to their countries of origin. At the same time, the EU pursues to improve the living conditions of host communities along the migratory routes, funding the dedicated programmes on the stabilization of municipalities. However, the goal of strengthening the integrated border management could not be achieved without securing the effectiveness of the gatekeeper's job: the Libyan Coast Guard. For example, since 2017 the EU countries have spent more than 90 million euros on providing training, equipment, ships and assistance to the service.

The European Union has not shut its borders without reason. Overall, the European Union is taking a more systematic approach to attempt to manage a complex problem that has no sign of going away soon.