



EUROPE, NOW IT IS YOUR TURN TO ACT

REFUGEES FORCED OUT OF LIBYA
URGENTLY NEED RESETTLEMENT

AMNESTY
INTERNATIONAL



In the wake of the conflict in Libya, thousands of refugees who were in the country at the time have been forced to flee again. Now, they have nowhere to go. The international community holds the solution: some states can offer to resettle them elsewhere. Yet so far, European countries have done little to help.

Thousands of refugees and asylum-seekers who were living in or transiting through Libya when the conflict broke out in February this year have been forced to flee for their lives yet again. Before the conflict erupted, Libya was home to between 1.5 million and 2.5 million foreign nationals, many of them refugees. According to UN Refugee Agency UNHCR, when the conflict began there were around 8,000 registered refugees and approximately 3,000 asylum-seekers there, who had come from countries such as Côte d'Ivoire, Eritrea, Ethiopia, Iraq, Somalia, Sudan and other places. Many are now stranded in Egypt and Tunisia.

Unlike the thousands of migrants who were also in Libya and who have long since returned to their own countries, these refugees cannot go back home because there they face ongoing risk of persecution, or other serious harm, including as result of deliberate targeting or indiscriminate violence in situations of armed conflict. Nor can they stay in Egypt and Tunisia –

in the past, both countries have been unable or unwilling to offer long-term solutions to refugees. Moreover, while they have accommodated the vast majority of people fleeing Libya, Egypt and Tunisia are facing a range of social and economic challenges in the aftermath of their own recent political upheavals. Returning to Libya is also not an option: regardless of the circumstances in the country in the medium term, Libya is far from a safe haven for refugees.

The only solution to people's ongoing forced displacement is for other countries to resettle them so that they get a chance to start rebuilding their lives. The international community must act now to resettle the refugees stuck in limbo in Egypt and Tunisia. How many are resettled, and how quickly, depend entirely on the international community fulfilling its responsibility towards them. As refugees, they are entitled to resettlement as the only durable solution to their plight.



Choucha refugee camp, Tunisia, is located by the border with Libya.

Only a small number of countries globally have established refugee resettlement programmes. These include Australia, Canada, the USA and some European countries. Amnesty International understands that so far only Australia, Canada and the USA have offered to resettle refugees stranded in response to the situation in Libya, while most member states of the European Union (EU) have shown little willingness to help them. Only eight European countries have offered to resettle some stranded refugees, between them offering barely 800 slots.

This is an abysmal response to the plight of displaced refugees on Europe's doorstep. It also ignores the fact that some European countries, by participating in NATO operations in Libya, have been party to the very conflict that has been one of the main causes of the involuntary movement of



Cover: A woman and children stand in the shade of a tree, Choucha refugee camp, Tunisia, June 2011. The majority of residents in the camp are refugees displaced at least once from their homes and then again from Libya. © Amnesty International

WHAT IS RESETTLEMENT?

According to UNHCR, “Resettlement involves the selection and transfer of refugees from a State in which they have sought protection to a third State which has agreed to admit them – as refugees – with permanent residence status.”

Resettlement is one of the three “durable solutions” promoted by UNHCR globally for refugees. The other two solutions are voluntary repatriation or integration into the asylum country. Resettlement depends entirely on the international community fulfilling its responsibility equitably towards refugees worldwide.

Only a handful of countries have established resettlement programmes. The USA has by far the largest of these, resettling over 54,000 refugees in 2010 alone.

When considering refugees for resettlement, UNHCR prioritizes refugees according to their needs and the specific risks they may face. Those prioritized for resettlement include children, women and girls at risk, female-headed households, torture and violence survivors, people with serious medical needs and people with legal or physical protection needs. Many of the women who spoke to Amnesty International, including those single-handedly heading households, expressed particular concern around their and their families’ personal safety and how the lack of effective protection compounded their sense of vulnerability.

Through UNHCR’s Global Resettlement Solidarity Initiative for Libya, all resettlement states are called upon to consider contributing a first target number of 8,000 places, rising possibly to 20,000. The initiative is crucial to alleviating the situation in Egypt and Tunisia and providing durable solution to the refugees.

people. While some refugees from Libya have made it, independently, to Europe since the beginning of the conflict, the numbers pale in comparison with the scale of arrivals in Tunisia and then Egypt – countries with limited capacity to accommodate them for any length of time. Given their proximity to the affected region and their comparatively greater resources, EU member states should be taking a leading role in responding to the grim situation of refugees from Libya now stuck in Egypt and Tunisia. Moreover, EU member states bear a heavy responsibility for the way in which in recent years they have ignored Libya’s dire human rights record on the one hand, while actively seeking the collaboration of Colonel al-Gaddafi’s government to stem the flow of people arriving in Europe from Africa, on the other. The policies of the EU resulted in serious violations of the human rights of refugees, asylum-seekers and migrants. Given the opportunity to help refugees from Libya now, Europe’s wholly inadequate response is shameful.

The people who are stranded in Egypt and Tunisia are becoming desperate; more and more refugees are going back into Libya, despite facing serious risks there, in order to board boats for Europe and embark on a perilous sea journey. Thus the need to enhance both capacity and pace of resettlement becomes more pressing than ever.

In June and July this year, Amnesty International delegates visited the Choucha refugee camp in Tunisia, and the Saloum Border Post in Egypt to speak with refugees about their situation and to document their living conditions.

This publication is dedicated to the memory of A., a Somali human rights defender and a refugee who died recently in Choucha camp in Tunisia. His assistance was invaluable to Amnesty International.



NO REFUGE IN LIBYA

"[Before the war] life in Libya was very difficult... there were problems; [Libyan] children would call us black slaves." Khadija had been living in Libya for three years when the conflict broke out. She and her three children fled the fighting in Somalia in 2008, after her husband disappeared. Like many Somali refugees, she sought safety in Libya. She registered as a refugee with UNHCR in Tripoli. She eventually found a job in the capital, working long hours as a cleaner.

For many years, Libya has been a country of transit and destination for large numbers of refugees, mainly from sub-Saharan Africa. However, even before the outbreak of hostilities, their situation was dire. Colonel al-Gaddafi's government refused to recognize the right to seek and enjoy asylum, and refugees were, for the most part, treated as irregular migrants. While some, like Khadija, were able to register with UNHCR, it is estimated that tens of

thousands were not able to get access to it. The situation was made worse when the Libyan authorities suspended UNHCR activities in early 2010. Since then, individuals wishing to claim asylum have had no opportunity to do so and have been left vulnerable to further abuse. Libya is still not a state party to the 1951 UN Convention relating to the Status of Refugees or its 1967 Protocol and has no functioning asylum system.

Refugees in Libya lived under the constant threat of being arrested and detained in appalling conditions, or being forcibly returned to their countries of origin despite the real risk of grave human rights abuses they would face there. In detention, refugees often faced beating, torture or other ill-treatment. Sub-Saharan Africans, in particular, were also vulnerable to racist and xenophobic attacks by ordinary Libyans who were safe in the knowledge that the authorities would tolerate their abuses.

Stranded in Choucha refugee camp in Tunisia, Khadija's children are struggling to cope with the trauma of displacement. "My children did not want to leave the house [in Libya] and my youngest one refuses to speak now as a result of the trauma of these experiences."

'I was trying to find protection in Libya, but I found the war.'

Bahr el-Din Hussein, refugee from Darfur, Sudan, in Saloum Border Post, Egypt



Far left: Refugees and asylum-seekers collect water at the Saloum Border Post, Egypt, July 2011.

Left: A woman in Choucha refugee camp, Tunisia, June 2011. Many women told Amnesty International that they feel unsafe living in the camp.

REFUGEES CAUGHT IN THE LIBYA CONFLICT

“When the problems [conflict] started, local people carried guns and accused us of being mercenaries”, Hafiz, a young man from Darfur, Sudan, told Amnesty International delegates in the Choucha camp. “They came in cars and would take our belongings. They would fire their guns in the air. One night Gaddafi’s guards came to the house and searched us. That is when I realized there is no security and it is better to go to a safe place.”

Fighting between opposition and al-Gaddafi’s forces exacerbated pre-existing xenophobia and racial tensions against foreign nationals. Sub-Saharan Africans were particularly targeted. Opposition supporters accused them of being mercenaries deployed by al-Gaddafi. Many refugees were robbed and beaten by fighters and ordinary Libyan civilians alike. Some refugees’ shops and homes were looted. Several people were detained and tortured. Some were lynched.

Amnesty International met Mahjoob Altaher, another Darfuri refugee, at the Saloum border post in Egypt. “When the conflict started I was living in Benghazi. I stayed home for a month because I saw on the news and heard from Sudanese friends that the *thuuwar* [revolutionaries, as opposition fighters are commonly known] were targeting dark-skinned people. My Filipino neighbour did not face problems because he is white; he would buy us food. On 17 March 2011, before sunset, three or four armed rebels entered the house. They hit me in the face with the end of the gun, then took our money, passports and mobiles.”

One of the people interviewed by Amnesty International delegates said that when opposition forces came to his home, he was beaten and taken to a court in Benghazi. “There were 40 to 50 people in the court’s hall, mostly from Chad, Sudan and Nigeria. People would beat us all over the body with the end and the belt of their guns. They would take one person after another inside

the rooms. I could hear the screaming of the people inside and I could see marks on their body after they came out; I believe they were being tortured. A Chadian national was shot in the shoulder; he was bleeding and had no medical help. The people around me would tell me to forget about my life, that we were dead. After six or seven hours my employer came to the court to confirm that I was not a mercenary. I was released.”

As the violence increased, thousands of refugees and asylum-seekers tried to leave Libya. Many of those who fled Libya to Egypt and Tunisia told Amnesty International that they were stopped at check-points by armed men, robbed of their possessions, and in some cases beaten. Some witnessed other Sub-Saharan Africans being shot.



Above: An Ethiopian refugee at the Saloum Border Post, Egypt, July 2011. The wait for resettlement in a safe country could last at least six months.

Right: Most people at the Saloum Border Post, sleep in makeshift tents made of blankets and plastic sheets.



SALOUM BORDER POST, EGYPT

The Egyptian authorities have allowed only Libyan nationals access to Egypt. Other foreigners not in possession of valid travel documents, including visas for Egypt, have not been allowed into the country beyond the Saloum Border Post. As a result, around 1,000 asylum-seekers and refugees, mostly from Sub-Saharan countries, were stranded at the Saloum Border Post at the time of writing.

The Border Post of Saloum is a militarized, fenced complex of administrative buildings set amid desert land on the Egyptian side of the border with Libya. Four security roadblocks must be passed to access the area, which is guarded by the Egyptian Army, the Central Security Forces and the police.

The refugees and asylum-seekers that have been stuck there, some since the end of February, live without any of the facilities

or accommodation needed for long term stay. The vast majority of them sleep in makeshift tents, made of blankets and plastic sheets. Two big tents provide shelter for women and children. However, they offer inadequate protection from the heat of the day and the cold at night, nor stop the scorpions and fleas.

'It will be very good if we could get help in these dark times. If I am going to perish here, I could as well have stayed in Benghazi.'

Ethiopian asylum-seeker, Saloum Border Post

CHOUCHA REFUGEE CAMP, TUNISIA

"I have been waiting for 20 years; do I need to wait for another 20? There is no life here. I never expected to become a refugee again in Tunisia. I don't think of anything anymore." Amina, a 65-year old Somali refugee, and her daughter Nadifa sit side by side in a white UNHCR tent, surrounded by a few blankets, cooking pots and the little possessions they own. Nadifa holds her six-month-old daughter while Amina describes the conditions in which they live. Amina's arm is injured and a finger is missing on her left hand from an old injury. They arrived from Libya in March. "I need assistance dressing and washing and I have to rely on my daughter... [Nadifa] was diagnosed with a hole in her heart. She has trouble breathing and because of all the dust and sand she struggles to even get to the toilet."

Choucha refugee camp is one of three refugee camps located approximately eight



kilometres from the border crossing of Ras Jdir, on the Tunisian side of the border with Libya. The area is known locally as “the door to the Sahara” – an isolated area of desert where conditions are harsh. When Amnesty International visited the camp in June, there were approximately 3,800 refugees and asylum-seekers living in the camp, which is now UNHCR’s third largest operation worldwide.

A Darfuri woman in a group of Sudanese women of all ages sitting together on straw mats outside one of the family tents told Amnesty International: “All the children talk about war and the effects of war, the bombs and so on; my children don’t sleep at night.” Naadiya, another Sudanese woman in her early twenties added: “There are 13 people living in this tent, from three different families [including] eight children under the age of 18, six of them are girls.”

A man from Sudan told us: “Humans need dignity and freedom. But there is no

freedom in Sudan and no dignity here.” Another refugee said: “Life here is not sustainable... There is no hope.”

Many refugees also felt unsafe living in Choucha. “I cannot sleep at night, I am so worried about my daughters”, a woman from Somalia explained. “I have no husband and there is no one to protect us here. The camp is open and on a number of occasions someone has tried to open the tent.”

‘I have been waiting for 20 years; do I need to wait for another 20? There is no life here.’

Amina, aged 65, Somali refugee, Choucha camp in Tunisia.



Above: Amina, her hand bandaged, in Choucha refugee camp, Tunisia, June 2011. Her daughter, who is seriously ill, and her six-month-old granddaughter are with her in the camp.

Top: Choucha refugee camp, June 2011. The camp is located in an isolated area of desert where conditions are harsh.



THE SOLUTION: RESETTLEMENT

The people who have been displaced again by the conflict and are stranded in Egypt and Tunisia must be resettled as a matter of urgency – particularly those among them facing specific risks (see inside for more information). Resettlement is the only lifeline available to them and the last remaining opportunity to break the cycle of displacement. However, for the time being, they are stuck waiting for the international community to fulfil its responsibility towards them.

To successfully resettle people in a third country UNHCR is reliant on countries accepting meaningful numbers of people within a reasonable timeframe, so that people are not left languishing. Since the launch of UNHCR's Global Resettlement Solidarity Initiative for Libya, just over a dozen countries have committed resettlement slots. However, these slots fall largely within existing yearly resettlement quotas and do not keep up with the increasing numbers of persons in need of resettlement globally.

A man in Choucha refugee camp, Tunisia, June 2011. The UNHCR prioritizes for resettlement people with serious medical needs, alongside other vulnerable groups.

So far, European countries in particular have failed to help alleviate the situation. Few of them have offered to resettle the refugees stranded in Egypt and Tunisia, and only in very modest numbers that fail to make a real difference.

RECOMMENDATIONS

Amnesty International supports UNHCR's Global Resettlement Solidarity Initiative for Libya and calls on the international community, and in particular on EU member states, to share responsibility for resettling refugees fleeing Libya, in an expedient manner, giving priority to those facing particular risks in accordance with UNHCR guidelines. Resettlement countries need to ensure that places are made available in addition to existing annual quotas, in order not to deplete much needed places from elsewhere.

Amnesty International calls on states to:

- Introduce or increase capacity in resettlement programmes for refugees fleeing Libya;
- Make resettlement programmes more responsive to emergency situations, including through expediting the processing of resettlement referrals and departure arrangements, and applying a flexible approach to refugee profiles;
- Ensure that any security assessments be based on thorough investigations of the

circumstances of the individuals concerned, as opposed to the application of blanket directives excluding particular categories of refugees;

- Integrate support and services for resettlement of refugees on arrival.

TAKE ACTION

For more information on this issue and to take action, go to www.amnesty.org/refugees

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Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and public donations.

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