



Libya: Rising concerns regarding UNHCR response and refugee well-being in wake of recent mass arrest in Tripoli

Earlier this month, on November 6, an operation of mass arrest of refugees and asylum seekers was carried out near the UNHCR (United Nations High Commissioner for Refugees) facilities in Tripoli, Libya. Reports and testimonies collected from several refugees indicate that more than 200 refugees and asylum seekers, including vulnerable groups such as pregnant women and about 30 children, predominantly of Sudanese origin, were arrested by state forces and forcibly transported to three detention centres in the area: Abu Salim, Tarik-Al-Sekka, and Ain Zara. This marks the latest in a series of recurring arrest campaigns conducted by Libyan authorities against refugees camping near the UNHCR facilities.

Over the past few years, and with the resurgence of hostilities in Sudan, there has been a continuous rise in the arrival of Sudanese refugees and asylum seekers into Libya. Many of these refugees embarked on perilous journeys through Egypt or the Sahara Desert, navigating through deadly routes and facing dangers such as the risk of forced expulsion, pushbacks, or arbitrary detention in inhumane conditions by Libyan authorities. Regrettably, upon reaching UNHCR in Tripoli, their challenges persist if not exacerbated.

In this context, this event not only highlights the persisting vulnerabilities of these individuals, but also puts into question the role of the UNHCR and other relevant agencies in addressing the needs of refugees and asylum seekers, particularly Sudanese individuals, who have fled the conflict in their country seeking a safer destination. The persisting situation of refugees living in open-air camps near UNHCR's facilities is indicative of a broader structural issue ingrained within the UN agency's registration and protection systems, in which UNHCR is struggling to accommodate the flow of refugees and asylum seekers.

Despite forewarnings from Libyan Civil Society Organizations earlier this year, alerting UNHCR Libya to prepare for an influx of refugees and asylum seekers from Sudan, its office hasn't announced any proactive measures.¹ Consequently, many refugees camping in the area have been vocal about the extremely vulnerable position they found themselves in, reportedly waiting for a registration appointment between three and eight to nine months without medical support or adequate provision of water and/or food. This delay is especially concerning given the urgency of their situations, allowing people to live in harsh conditions with very limited resources near Tripoli's UNHCR.²

"Nobody chooses to live on the streets in such conditions! Nobody! People are sick or dying and all they receive from the UNHCR is painkillers, painkillers! Many of these people died before even getting through the UNHCR's gates!"

Even for those who have been able to register with UNHCR, they still face two main issues. First, registration is not translated into protection for these people. Holding a refugee status in Libya is not recognized by authorities as a legitimate prerequisite for security, with many of those holding a legal status living under the constant fear of being arbitrarily arrested and detained. Second, registration does not improve financial security. According to several testimonies, many refugees were provided an insufficient amount of money to survive, since the financial allowance being allocated is inadequate

¹ [Mixed migration consequences of Sudan's conflict](#), V.Cross-border movement, Mixed Migration Centre, 4 May 2023

² [Sudanese refugees in Libya accuse UNHCR of failing to help](#), Al Jazeera English, 23 August 2023

for the receivers' needs or the family's size. Single people would receive around 500 Libyan Dinars (roughly 95 Euros) while families would get a mere 1200 Libyan Dinars (about 200 Euros) from UNHCR, which can barely even cover the expenses of finding shelter in a city like Tripoli.

Such testimonies pinpoint several deficiencies in UNHCR's support mechanisms, triggering significant concerns regarding the agency's ability to fulfil its mandate in Libya. Moreover, its limited responsiveness to the recurring mass arrests and detention of refugees and asylum seekers over the years raises questions over their high-level discussions with the Libyan Government. This is amplified by the fact that the situation has not improved over the years, that the UNHC is unable to communicate challenges encountered to the public and the refugee community, as well as by the fact that many UN-registered refugees continue to be subjected to arrests.³

"We're not asking for much. We just want to be treated humanely, to be treated with respect and not like animals."

The concerning conditions in Libyan detention centres, coupled with limited international presence and access, have been extensively documented. Organisations, including ours and the UN FFM in Libya, reported widespread human rights abuses against migrants, many of whom are registered refugees and asylum seekers, encompassing torture, rape, forced labour, and human trafficking. This sharply contrasts with the expected UNHCR approach in Libya, which should prioritise protection and well-being, necessitating a proactive stance against arbitrary detentions and an urgent action plan in order to uphold a minimum standard for the protection of refugees in Libya.

In light of these challenges, several recommendations are proposed:

To the UNHCR:

1. Enhanced public communication/advocacy: Revise and optimise the current public communication with refugee communities, emphasising transparency in conveying information about proactive or protective measures. Adopt a clear advocacy plan to call for the immediate release of children and pregnant women from detention centres, as well as all registered refugees and asylum seekers who are entitled to protection under international law.
2. Immediate prioritised assistance and adequate support: Provide immediate relief for the refugees fleeing conflict areas ensuring they receive essential supplies such as adequate medical support, enough hygienic products, water, and food while they await appointments. When financial aid is provided, re-evaluate, and adjust the financial amounts delivered to registered refugees, considering the cost of living in cities like Tripoli to ensure families, especially those with children, receive adequate support for shelter and basic necessities.
3. Expedited appointment process: Implement measures to expedite the appointment process for refugees, particularly those fleeing conflict zones like Sudan, reducing waiting times and addressing urgent cases promptly.
4. Collaboration with other international agencies and civil society organisations: Strengthen collaboration with organisations like UNICEF which has a responsibility to provide specialised support for pregnant women and children ensuring their unique needs are met. Also strengthen collaboration with Civil Society Organisations by actively engaging in dialogue and

³ [Asylum seekers released from Ain Zara detention center in Libya after 18-month detainment](#), InfoMigrants, 22 July 2023

considering their insights and recommendations for improved refugee support and crisis management.

To the International Community:

1. Diplomatic pressure on Libya: Exert diplomatic pressure on Libyan authorities to ensure compliance with international human rights standards, particularly in the treatment of refugees, and to address their illegal detention especially when they hold a UNHCR status in Libya.
2. Recognition of the UNHCR mandate in Libya: Currently, UNHCR Libya operates without a formal framework due to the lack of a Host Country Agreement with the Libyan Government. States and international community should engage in direct dialogue with Libyan authorities and actively encourage the signing and implementation of this agreement.

To Libyan Authorities:

1. Recognition of unique humanitarian situations: Acknowledge and recognise the distinctive humanitarian circumstances faced by individuals fleeing conflict, specifically Sudanese effected populations who received medical assistance from the Libyan state earlier this year.⁴ Prioritise the implementation of policies that ensure the respectful treatment of refugees and asylum seekers, with a focus on providing improved conditions in shelter-like centres rather than detention facilities.
2. Cooperation with UN Agencies: Collaborate more closely with UNHCR and UNICEF to establish effective communication channels, streamline refugee registration processes, and enhance support for vulnerable populations, including pregnant women and children.

In conclusion, the mass arrest of refugees in front of the UNHCR building in Tripoli demands immediate attention and action. The incident highlights systemic issues that require collaborative efforts between the UNHCR, Libyan authorities, and the international community to ensure the protection and well-being of refugees in Libya.

OMCT – World Organisation Against Torture

LAN – Libyan Anti-torture Network

Refugees in Libya

⁴ [Ministry of Foreign Affairs : Libya sends urgent medical aid to Sudan](#), Libyan News Agency, 21 June 2023