

Dereliction of Duty by the Libyan Authorities and the UNHCR gravely exacerbates the situation of refugees in Tripoli

Since Saturday, 9 October 2021, hundreds of refugees and asylum seekers¹ have been camping in front of the UNHCR's "Community Day Center" (CDC), in the open without shelter² and without any humanitarian aid, neither from the Libyan authorities nor from the UNHCR. The UNHCR has closed the doors of the CDC and refuses to provide any humanitarian aid³. The situation of the refugees is dire⁴, and they receive only some very limited assistance provided by few Libyan NGOs⁵.

The conditions of refugees and asylum seekers in Libya have always been very bad⁶ but have worsened and witnessed a sharp deterioration since the beginning of the campaign of raids and arbitrary arrests launched by the security authorities in Tripoli at the beginning of this month⁷. Hundreds were affected as a result of these indiscriminate campaigns, lost their shelters, lost all their belongings, and became homeless. The campaign of raids was accompanied by acts of violence that terrified vulnerable groups of refugees, leaving them in the open in an unsafe environment.

Human Rights Solidarity Organization (HRS) has learned from confidential sources that the International Organization for Migration (IOM) has obtained permission to resume "voluntary return" flights for migrants stranded in Libya, and that it has scheduled four flights to transport migrants before the end of this month⁸. UNHCR has welcomed "the permission to resume evacuations", but so far there is no news of the launch or scheduling of resettlement flights for refugees to third countries.

HRS, while welcoming these positive steps taken by the Libyan authorities, giving permission to international organizations to resume evacuation and voluntary return flights⁹, however, it considers that this is not sufficient to address the grave humanitarian situation of refugees and asylum seekers who have become homeless. The evacuations of refugees will benefit only a limited number of thousands of refugees in Libya¹⁰. UNHCR stated that "more than 1,000 vulnerable refugees and asylum seekers are currently prioritized for humanitarian flights". The situation of refugees and asylum seekers in al-Serraj and other areas cannot be tolerated, and the

Libyan authorities, in cooperation with international organizations, must develop and implement practical solutions to address the situation. **HRS calls on the Government of National Unity to:**

- stop detaining refugees and asylum seekers who have proof of registration with the UNHCR, and immediately release those detained in the detention centers of the "Anti-Illegal Immigration Agency,
- immediately allocate some sites and buildings to accommodate refugees and asylum seekers, and placing these locations under the supervision of the UNHCR and the management of Libyan NGOs such as the Libyan Red Crescent Society, and
- support Libyan NGOs and other Libyan civil society institutions, and to stop intimidating them so that they can carry out their social and humanitarian missions.

HRS also calls on the Government of National Unity to cooperate with the UNHCR and to sign the "International Convention relating to the Status of Refugees"¹¹ and the "Protocol relating to the Status of Refugees"¹². HRS calls on the UNHCR to immediately open the doors of the "Community Day Center" in al-Serraj District to provide medical and humanitarian services. There are many refugees who are with acute chronic diseases and their current health condition is critical due to the lack of medicine and their homelessness for nearly three weeks.

Human Rights Solidarity Organization Tripoli – Libya August 24, 2021

¹ According to independent sources, the number of refugees camping in front of the UNHCR's CDC ranges from 700 to 1,000 people, and sometimes up to 1,500 people. According to the UNHCR, "Some 3,000 people are currently sheltering near the Community Day Centre (CDC) in Tripoli", UNHCR Libya: "[Press release: UNHCR calls on Libya to urgently develop a plan for asylum seekers and refugees, welcomes authorization to restart evacuations](#)", October 22, 2021.

² Refugees In Libya, an account on Twitter publishing photos of refugees camping near the CDC in al-Serraj District; "[A shelter to hundreds of pregnant women and children](#)", "[Refugees sleeping in the open on the side of a main road](#)", and "[Refugees without shelter](#)".

³ UNHCR justified the closure of the CDC "for reasons of security and safety", by the fact of the matter is that UNHCR has suspended its humanitarian operations in the CDC for fear of the influx of larger numbers of refugees and asylum seekers.

⁴ There are no public toilets, and refugees are forced to relieve themselves near their places of residence, which exacerbates the health situation and exposes them to diseases. Refugees in Libya: "[Day 16 shows](#)

[a very toxic environment as refugees are forced to urinate and drop their dung by the roadsides, creating a life-threatening scenes for children who moves into these places](#)", October 17, 2021

⁵ The humanitarian role played by Libyan NGOs, despite their limited capabilities - which was manifested not only in the current refugees' crisis, but in many other situations, be it in peacetime or during armed conflicts - is a very important role and compensates for a small part of the failure by the Libyan government to fulfil its social responsibility. Societies that respect the right of peaceful assembly, a basic human right, and support civil associations of all kinds, depend on the contributions of civil and voluntary work to complement the State's role in fulfilling its social responsibility. In Libya, state institutions, legislative and executive, are still affected by the legacy of the era of totalitarian and authoritarian rule, which deprived Libyan society of its basic rights, including the right to peaceful assembly, and are habitually still working to restrict the activities of NGOs and stifle civil society.

⁶ UNHCR usually provides limited financial assistance for a period of two months only and does not cover the costs of accommodation in rooms in shared accommodations. Human Rights Solidarity Organization has documented cases of refugees, who are registered with UNHCR, living in garbage dumps. There is no public transportation in Libya, and refugees are forced to use taxis to reach the UNHCR headquarters in Tripoli, some of them have to travel from other cities such as Misrata.

⁷ Human Rights Solidarity: "[Libya: on the Mass Arrests of Migrants and Asylum Seekers and the Suspension of Evacuation and Voluntary Returns Flights](#)", October 12, 2021.

⁸ According to a post on the Facebook account of the Ministry of Interior, the "Anti-Illegal Immigration Agency" has evacuated 128 Gambian migrants to their home country, on a "voluntary return" flight organized by the IOM on Thursday, October 21, 2021. Ministry of Interior: "[The Anti-Illegal Immigration Agency departs a number of illegal immigrants](#)".

⁹ The Libyan authorities suspended the evacuation, voluntary return and resettlement flights for nearly a year. These flights were organized by UNHCR and the IOM. UNHCR Libya: "[UNHCR and partners have suspended services at the Community Day Centre after large crowds gathered in front of the building](#)", October 8, 2021. Excerpt: "**Humanitarian flights from Libya have been suspended for much of the year and blocked since 8 August upon the decision of the Libyan authorities**".

¹⁰ According to the UNHCR report, the number of registered refugees and asylum seekers in Libya reached 41,681, updated October 1, 2021. UNHCR, Operational Data Portal: "[Refugees Situation, Libya](#)".

¹¹ UNOHCHR: "[Convention relating to the Status of Refugees](#)". Adopted on 28 July 1951 by the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons convened under General Assembly resolution 429 (V) of 14 December 1950. Entry into force: 22 April 1954, in accordance with article 43

¹² UNOHCHR: "[Protocol relating to the Status of Refugees](#)". The Protocol was taken note of with approval by the Economic and Social Council in resolution 1186 (XLI) of 18 November 1966 and was taken note of by the General Assembly in resolution 2198 (XXI) of 16 December 1966. In the same resolution the General Assembly requested the Secretary-General to transmit the text of the Protocol to the States mentioned in article V thereof, with a view to enabling them to accede to the Protocol. Entry into force 4 October 1967, in accordance with article VIII