



NOTEBOOKS OF ARMADILLA SCS

Lybia, humanitarian emergency!

Edited by Vincenzo Pira and Marco Pasquini

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Introduction

Armadilla is a social cooperative committed primarily to international cooperation. (www.armadilla.coop)

It also carries out training and information activities on the issues of the 2030 agenda proposed by the United Nations, for the defense of human rights and for the achievement of the 17 objectives for sustainable human development: <https://www.unric.org/it/agenda-2030>

In this context, these Notebooks want to contribute to disseminating information, critical analysis and possible answers to the priority problems that are faced among the students and the public opinion that Armadilla addresses. The collection of all the Notebooks from 2015 to the present is located at: <http://armadilla.coop/quaderni/>

In this Notebook we present an analysis on the situation in Libya and on the prospects concerning humanitarian aid, migration flows and respect for human rights in a country at war and in a region (Mediterranean and Middle East) where instability prevails.

Armadilla is implementing, in partnership with Emergenza Sorrisi, a project of Italian cooperation that guarantees medical health services in the immigration center of El Nasser near Tripoli.

Libya is a country at war; a territory in which thousands of refugees coming from sub-Saharan Africa, Eritrea and Ethiopia pass, considered by the irregular Libyan laws and often held in inhuman conditions or treated as slaves by unscrupulous traffickers. Taking a position in the general debate concerning relations between Italy, the European Union, international powers and Libya is not simple and deserves a thorough analysis and evaluation, bearing in mind the complexity of the situation and trying to adequately combine the obligation to guarantee humanitarian aid to people in conditions of extreme vulnerability and the political and diplomatic choices that the international community have made and can do to guarantee the right and the rights of the various parties involved.

The fall of the Gaddafi regime has not brought Libya to a better situation of democracy and peace. Instead, it has unfortunately created a chaotic situation that has opened the door to destabilization and to a conflict between the various tribal militias that want to control and divide up the rich proceeds derived from the extraction of oil. The attempts for a transition to a democratic structure have not given positive results so far.

Two rival governments seeking international legitimacy compete for the government of the country: the first, based in Tripoli, is led by Fayez al-Serraj and has had the support of the UN, Italy, Turkey, Qatar and Sudan. The second is based in Tobruk, in the west of the country, and is supported by Russia, Egypt, France and the United Arab Emirates and Saudi Arabia. Its leader is Khalifa Haftar, a general friend and collaborator of Gaddafi with whom he subsequently entered a strong conflict.

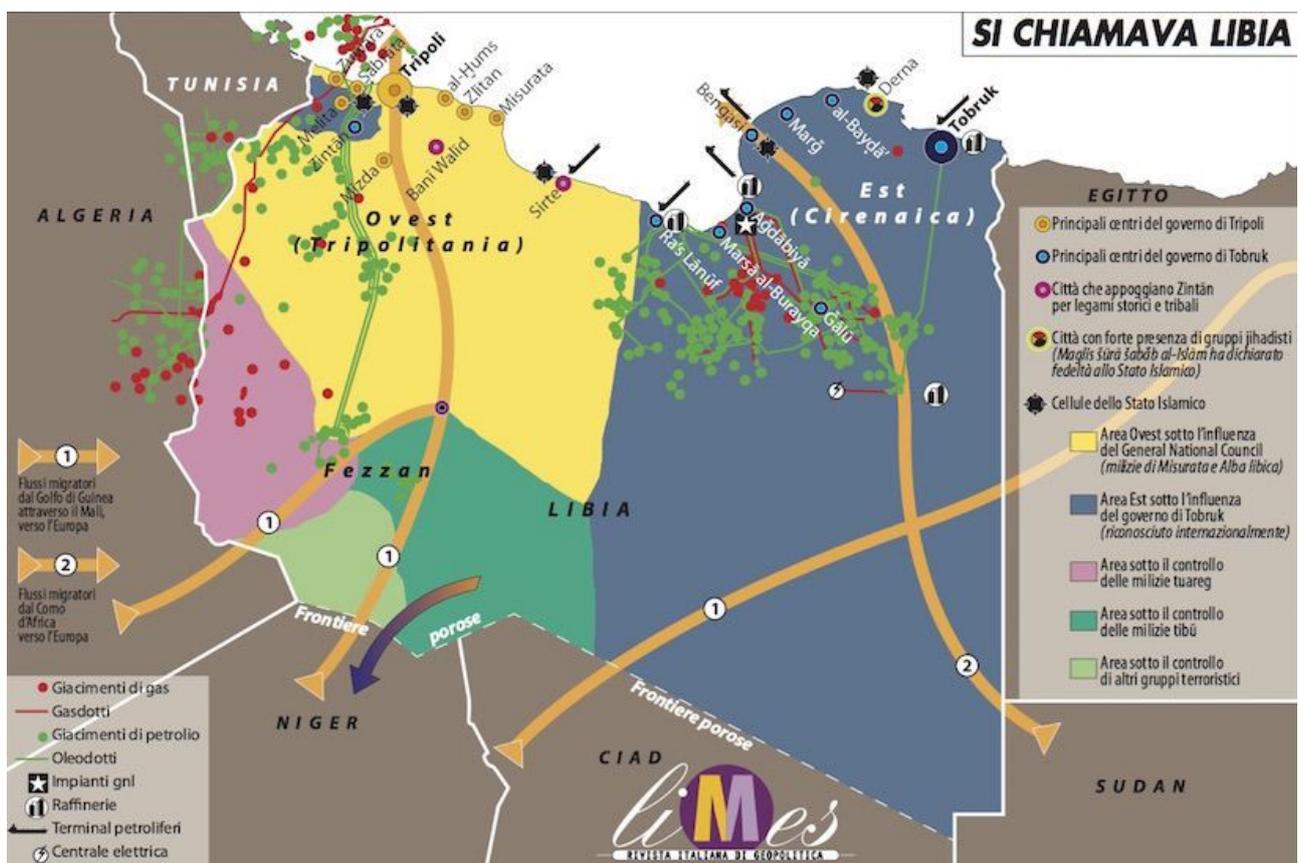
In this situation the problem arises of how to manage the humanitarian crisis provoked by the war and by continuous migratory flows that pass through Libya to Europe.

Over 823,000 people are considered in need of immediate humanitarian assistance (including 248,000 children). Of these 187,000 are Libyan displaced people due to the war; 404,000 are Libyans who have returned to the country from abroad; 57.546 between refugees and asylum seekers registered by the United Nations.

How did this situation come about? What are the interests that led to this internal conflict in Libya and what are the international actors that support it?

What is Italy's position and what is being done at the diplomatic and aid guarantee level to resolve or alleviate the humanitarian crisis?

We are talking about all this in this Notebook using the official documentation available, journalistic sources and direct testimonies of humanitarian agency operators.



1. Outline of recent history

In the spring of 2011 Colonel Muammar Gaddafi is no longer able to maintain control of the different tribes and factions that had so far supported him and increased riots throughout the country. In October, feeling in danger, he took refuge in Sirte where he was besieged. He

tries to escape to the desert but his convoy is identified by American and French airplanes and drones, which give precise information to the rebels who capture and kill him. The Western powers have justified their intervention by claiming to be justified by the obligation to defend the rights of the population persecuted by a dictatorial government. **The death of Gaddafi has however created a chaotic situation and has opened the door to the destabilization of Libya which has become the battleground of tribal militias that want to control and share the rich proceeds derived from the extraction of oil. A transition to a democratic structure was attempted, but power immediately split between two rival governments.**

The first, Government of National Unity - GUN - based in Tripoli, is led by Fayez al-Serraj and has had the support of the UN, Italy, Turkey, Qatar and Sudan. The second expression of the Libyan National Army - ELN - is based in Tobruk, in the west of the country, and is supported by Russia, Egypt, France and the United Arab Emirates and Saudi Arabia. The head of the government of Tobruk is Khalifa Haftar, a general friend and collaborator of Gaddafi with whom he entered into strong conflict, from having to seek refuge, in 1990, in the United States. Haftar resides in the US for twenty years taking US citizenship. He returned to Libya in 2011, after Gaddafi's death, and became the number three of the military hierarchies. Also worthy of attention is what happens in the forgotten Fezzan, the south-western Libyan region, which hosts vital infrastructures such as the Great artificial river (the colossal aqueduct that brings water to Tripoli) and the Greenstream pipeline that brings methane to Italy. Since 2011 the south of Libya has been the scene of a struggle between the Tebu (a tribe of Ethiopian origin present on the borders of Libya, Chad and Niger) and several Arab tribes for the control of legal cross-border routes (goods, livestock) and illegal (migrants, cigarettes, drugs and weapons). In this vast desert area that borders Algeria, Niger and Chad, there are also active Chadian militias accused from time to time of being mercenaries, active in the conflict. The United Nations has made many attempts at mediation between the two Libyan governments to arrive at a unified national structure, with no positive results. The last meetings between the parties took place in Paris, in May 2018, then in Palermo in the following November and, finally, in Abu Dhabi, in February 2019, always with nothing. The UN envoy Ghassan Salame was working for a peace conference that was supposed to mark the start of the national reconciliation that was to be held in Ghadames, on the border with Algeria, in April 2019.

The Libyan National Army's march on Tripoli, which began on April 4, 2019, has made all previous agreements wasteful and has clearly shown that General Haftar has never believed in the diplomatic route but is relying on military force to take control of Libya.

According to a report by the British Foreign Office, cited by the Guardian of 9 April 2019, the United Arab Emirates (UAE) have provided massive support to Haftar and even in a British government document it is stated that: "The main advantage of Haftar was the "constant support received from the UAE and Egypt - support from the military, political and financial point of view that far surpasses any other intervention by other actors in the Libyan

conflict". The Wall Street Journal has repeatedly stated that the Saudis have given Haftar millions of dollars, to buy the loyalty of tribal leaders and pay the militias. The Saudis intend to support the general, above all, to face the Muslim Brotherhood considered their main enemy in the region. Twin conflict to that of Yemen, destroyed by a very bloody civil war that is actually a war by proxy between Saudis and Iranians. The position of France, which played a decisive role in overthrowing Gaddafi, is ambiguous and contradictory because, since the time of the Hollande presidency, it has established contacts with Haftar. Another Haftar ally is Russia, which has a great interest in Libya because it hopes to get a military base which, in addition to the Tartus naval base in Syria, would consolidate the Russian presence in the Mediterranean and strengthen its strategy of renewed global power to Africa, as expressed at the Russian-African summit held in Sochi at the end of October 2019. The confrontation between the governments of Tripoli and Tobruk cannot be resolved militarily. Serraj had the support of the militias present in Misrata which are the main force in western Libya and, in 2016, they achieved a decisive victory against the Islamic State, freeing the city of Sirte. The most important aspect between the GUN and the ENL is played on the level of legitimacy. Indeed, in order for the Haftar offensive to achieve its political goals, military victory must also be accompanied by parallel international recognition. The construction of a form of legitimacy is therefore one of the primary objectives of the offensive of the parties in conflict, of importance comparable to that of the war operations and the maintenance of international support.

As regards the problem of migration, it must be considered that Libya has not adhered to the 1951 Convention relating to the status of refugees, nor to the related Protocol. However, it has ratified the Convention of the Organization of African Unity that regulates the specific aspects of refugee problems in Africa (OAU Convention) and has adhered to the African Charter on Human and Peoples' Rights (Banjul Charter). Although Article 10 of the 2011 Provisional Constitutional Declaration provides for the right to asylum, there is no legislation on asylum or any established asylum procedure. As a result, all non-Libyan people regardless of their status, including asylum seekers and refugees, fall under national immigration laws.

The Libyan legislation in force criminalizes irregular entry, stay or exit, for example in the absence of appropriate documentation or through unofficial border posts, without making any distinction between asylum seekers / refugees, migrants or trafficking victims. Violations are sanctioned with an indefinite prison sentence of "forced labor" or a fine of about 1,000 Libyan dinars (US \$ 723) and subsequent deportation once the sentence is completed. Third-country nationals deported from Libya can return only if they have a decision from the Director of the Directorate-General for Passports and Nationality. The Libyan authorities recognize that an application for international protection can only be based in the case of applicants with one of nine specific nationalities . As a result, the UN refugee agency (UNHCR) can register as individuals falling within its mandate only individuals from these nine countries: Ethiopia, Eritrea, Iraq, Palestine, Somalia, Sudan, South Sudan, Syria and Yemen. Most asylum seekers, refugees and migrants do not have access to a residence permit, thus being at high risk of arrest and imprisonment for irregular stay.

Because of their irregular status and the lack of legal documents, as well as widespread discriminatory practices (in particular, but not exclusively, against people from sub-Saharan countries), they are often excluded from social security mechanisms and basic services, including emergency health care, thus finding itself living in precarious living conditions.

Amnesty International operators have been in Libya from 1 to 14 August 2019 and have visited places affected by the attacks in and around Tripoli, in Tajoura, Ain Zara, Qasr Bin Ghashir and Tarhouna. 156 inhabitants (including survivors, witnesses and relatives of the victims), local officials, medical workers and militiamen were interviewed. Together with other journalistic sources and operators of the United Nations, they denounce the fact that gangs of traffickers, who have links with the Libyan militias in the south, come to request from 1,000 to 1,500 Libyan dinars (from 800 to 1,100 US dollars) to bring migrants up to Tripoli. If migrants are unable to pay, they are handed over directly to the rebel militias who close them in lairs owned by armed gangs. These migrants usually try to call home in order to ask for the money needed for their release. If their families are unable to pay, the militias sell them to wealthy Libyans who need cheap labor on their farms or construction sites. Some can be sold as slaves to the various militias, while the lucky ones are sold to rich Libyans and become salaried workers who can eventually earn enough money to pay for their escape from the country. Others end up in the hands of government-associated militias who detain them in detention centers awaiting expulsion. All parties to the conflict continue to perpetrate violations and abuses and international human rights law and international humanitarian law, which go unpunished even in the case of the most serious crimes.

The most frequent violations and abuses include arbitrary detention, abductions, enforced disappearances, torture and other forms of mistreatment, rape and other forms of sexual violence against both women and men, extrajudicial executions, including executions summary, forced displacement, as well as targeted and indiscriminate attacks against civilians and civilian assets such as medical facilities, schools, mosques, etc.

According to reports from direct testimonies, men, women and children risk becoming a target for armed groups and security forces affiliated with rival governments, who carry out arbitrary arrests and kidnappings “for financial or political gain, on the basis of tribal origin, family identity or the alleged political affiliations and opinions of the victims. Militias and armed groups have illegally kidnapped and detained hundreds of people because of the opinions, origins and political affiliations attributed to them or their alleged wealth. Three kidnapping victims include political activists, lawyers, human rights activists and other civilians. Kidnappings are carried out by militias in order to obtain ransoms from families, to negotiate an exchange of prisoners or to silence criticism. Since 2014, militias have illegally kidnapped and detained hundreds of people due to the opinions, origins and political affiliations attributed to them or their alleged wealth. The opening of a transit facility managed by the UNHCR in Tripoli was admitted, insufficient compared to the people who would need international protection. Also for UN agencies the usability in detention centers remains very limited. At the landing points where people are intercepted at sea by the Libyan Coast Guard, UNHCR offers assistance and protection to avoid ill-treatment, registering

who might be eligible for refugee status recognition. Who is not, can be followed by IOM, always with many limitations and difficulties, after being transferred to government detention centers. Vulnerability is widespread among internally displaced persons and among citizens stranded in neglected municipalities in the south and in eastern and western areas. Some NGOs can also provide valuable help in some of these areas, as well as in urban centers.

2. Italy's role in Libya

Italy, both for its geographical proximity and for its long history, for better or for worse, which links the two countries, has always had important relations and interests with Libya. Several bilateral agreements have been made in recent years, critically assessed by members of the current Italian government and a revision and update is required. In the current peace process in Libya, Italy has supported the Serraj government, not recently excluding the possibilities of dialogue and mediation that also involve Haftar. While not directly participating in the ongoing conflict, the Italian government deploys around 400 military personnel in Libya, part of the bilateral assistance and support mission in Libya (Miasit).

The mission is intended to provide assistance and support to the Government of the Libyan National Agreement and is the result of the reconfiguration, in a single device, of the health and humanitarian support activities provided for by the Hippocratic Operation and of some tasks of technical-maintenance support in favor of the Libyan coast guard falling under the Mare Sicuro operation.

The current phase of the mission, which began in January 2018, aims to make the assistance and support action in Libya more incisive and effective, supporting the Libyan authorities in the peace and stabilization action of the country and in the strengthening activities to control and combat illegal immigration, illegal trafficking and security threats, in harmony with the lines of action decided by the United Nations. The bulk of the Italian military

personnel is located in Misurata, where the "Hippocrates" Task Force is deployed with a hospital facility dedicated to health care: here the wounded fighters in the conflict were treated to free Sirte from the yoke of the Islamic State. The headquarters of the command of the mission is, however, in the port of Tripoli to provide, at the request of local authorities, support and support activities for the Libyan Coast Guard and Navy.

More specifically, the mission is to:

- provide healthcare assistance and support, also guaranteeing the possibility of transferring patients in Italy who require highly specialized care;
- conducting humanitarian and health prevention support activities through refresher courses in favor of Libyan teams involved in demining;
- provide training, counseling, assistance, support and mentoring activities for the security forces and Libyan government institutions, in Italy and Libya, in order to increase overall capacity;
- to provide training and mentoring assistance and support to the Libyan security forces for monitoring and combating illegal immigration, illegal trafficking and security threats in Libya;
- carry out activities to restore the efficiency of the main land, sea and air assets, including the related infrastructures, functional to the development of the Libyan capacity to control the territory and to support the fight against illegal immigration;
- support initiatives, within the scope of the tasks set by the mission, implemented by other Departments;
- incentivize and collaborate for the development of capacity building in Libya;
- carry out surveys in Libyan territory to determine the support activities to be performed;
- guarantee an adequate safety / force protection framework for the personnel employed in carrying out activities / initiatives in Libya.

Italian interests in Libya also concern the presence of ENI and the supply of oil and gas to our country. ENI has been present in Libya since 1959. The activity is carried out in the Mediterranean offshore facing Tripoli and in the Libyan desert for a total developed and undeveloped area of 26,636 square kilometers (13,294 square kilometers in Eni's share).

In 2018/19 development activities concerned the production start-up of the Bahr Essalam phase 2 project (Eni's interest 50%), which was completed in June 2019. The development program involves the drilling of ten wells, of which seven completed and started production in 2018, as well as investments to increase production capacity for the upgrading of gas treatment plants in the Mellitah and Sabratha area; the start of a program to optimize production at the Wafa field. The project involves the construction of new gas compression units. The gas activity is carried out through the Green Stream pipeline for the importation of Libyan gas produced by the Wafa and Bahr Essalam fields operated by Eni. The pipeline, consisting of a 520-kilometer line, carries out the submarine crossing of the Mediterranean Sea by connecting the Mellitah treatment plant on the Libyan coast with Gela in Sicily, an entry point into the national gas pipeline network. The pipeline capacity amounts to approximately 8 billion cubic meters / year. Natural gas production in Libya in 2018 amounted to 33.4 million cubic meters per day, while the supply of natural gas was 4.55 billion cubic meters. Within the framework of the agreements signed in 2017 for the

implementation of initiatives related to health and education in support of local communities, two areas of intervention have been defined that concern support to the local Health Authorities, in particular with a program to restructure the clinic at the Jalo area, technical assistance and medical training initiatives and the construction of a pipeline for the desalination plant in the Zuara area to supply water to local communities. In December 2018, a Memorandum of Understanding was signed with the national electricity company GECOL and the state oil company NOC, which includes the launch of a rehabilitation project for some power plants to support access to energy for the communities.

In this context, the **"Memorandum of understanding on cooperation in the field of development, combating illegal immigration, trafficking in human beings, smuggling and strengthening border security between the State of Libya and the Italian Republic,** which we report in full: The Government of National Reconciliation of the State of Libya and the Government of the Italian Republic hereinafter referred to as 'The Parties' - are determined to work to address all the challenges that negatively affect peace, security and stability in the two countries, and in the Mediterranean region in general.

Aware of the sensitivity of the current transition phase in Libya, and the need to continue to support efforts aimed at national reconciliation, in view of a stabilization that allows the building of a civil and democratic state. Recognizing that the common historical and cultural heritage and the strong bond of friendship between the two peoples constitute the basis for tackling the problems arising from the continuous and high flows of illegal migrants. Reaffirming the principles of sovereignty, independence, territorial integrity and national unity of Libya, as well as of non-interference in internal affairs. In order to implement the agreements signed between the Parties in this regard, including the Treaty of Friendship, Partnership and Cooperation signed in Benghazi on 30/08/2008, and in particular Article 19 of the same Treaty, the Tripoli Declaration of 21 January 2012 and other agreements and memoranda signed on the subject.

The Parties took note of the commitment that Italy has made to relaunch dialogue and cooperation with African countries of priority importance for the migratory routes, which led to the establishment of the "Fund for Africa".

Taking into account the initiatives that have been implemented by the Italian side in implementing the previous bilateral agreements and memoranda of understanding, as well as the support assured for the revolution of 17 February.

In order to reach solutions concerning some issues that negatively affect the Parties, including the phenomenon of illegal immigration and its impact, the fight against terrorism, trafficking in human beings and fuel smuggling.

Reaffirming the firm determination to cooperate to identify urgent solutions to the issue of illegal migrants crossing Libya to travel to Europe by sea, through the provision of temporary reception camps in Libya, under the exclusive control of the Libyan Ministry of the Interior, in waiting for repatriation or voluntary return to the countries of origin, working at the same time so that the countries of origin accept their own citizens or by signing agreements with these countries in this regard.

Recognizing that the measures and initiatives undertaken to resolve the situation of illegal migrants under this Memorandum must not in any way affect the Libyan social fabric or

threaten the demographic balance of the country or the economic situation and the security conditions of citizens Libyans.

Emphasizing the importance of the control and security of the Libyan, terrestrial and maritime borders, to guarantee the reduction of illegal migratory flows, the fight against human trafficking and fuel smuggling, and also stressing the importance of using the experience of institutions involved in the fight against illegal immigration and border control.

Taking into account the obligations deriving from customary international law and the agreements that bind the Parties, including Italy's accession to the European Union, in the ambit of the laws in force in the two countries, the two parties confirm their desire to cooperate in order to implement the provisions and objectives of this Memorandum, and agree as follows:

Article 1

The Parties undertake to:

A) initiate cooperation initiatives in accordance with the programs and activities adopted by the Presidential Council and by the Government of the National Agreement of the State of Libya, with reference to support for security and military institutions in order to stem the flows of illegal migrants and to address the consequences deriving therefrom, in accordance with the provisions of the Treaty of friendship, partnership and cooperation signed between the two countries, and the agreements and memoranda of understanding signed by the Parties.

B) the Italian side provides support and funding for growth programs in regions affected by the phenomenon of illegal immigration, in different sectors, such as renewable energy, infrastructure, health, transport, human resource development, teaching, staff training and scientific research.

C) the Italian side undertakes to provide technical and technological support to the Libyan bodies responsible for the fight against illegal immigration, and which are represented by the border guard and the coast guard of the Ministry of Defense, and by the competent bodies and departments at the Ministry of the Interior.

Article 2

The Parties also undertake to take action in the following areas:

1) completion of the control system of the land borders of southern Libya, according to the provisions of article 19 of the aforementioned Treaty.

2) adaptation and financing of the aforementioned reception centers already active in compliance with the relevant regulations, taking advantage of funding available from the Italian side and funding from the European Union. The Italian side contributes, through the supply of medicines and medical equipment for the reception health centers, to meet the health care needs of illegal migrants, for the treatment of transmissible and chronic serious diseases.

3) training of Libyan personnel within the aforementioned reception centers to meet the conditions of illegal migrants, supporting Libyan research centers operating in this sector, so that they can contribute to identifying the most appropriate methods to deal with the phenomenon of illegal immigration and trafficking in human beings.

4) The Parties cooperate to propose, within three months of the signing of this memorandum, a more complete and broader vision of Euro-African cooperation, for **eliminating the causes of illegal immigration, in order to support the countries of origin of immigration in the implementation of strategic development projects, raise the level of the service sectors thus improving the standard of living and health conditions, and contribute to poverty reduction and unemployment.**

5) support for the international organizations present and working in Libya in the field of migration to continue their efforts also aimed at the return of migrants to their countries of origin, including voluntary return. 6) start of development programs, through appropriate job creation initiatives, in the Libyan regions affected by the phenomena of illegal immigration, trafficking in human beings and smuggling, in function of "income replacement".

Article 3

In order to achieve the objectives set out in this Memorandum, the parties undertake to set up a joint committee composed of an equal number of members between the parties, to identify the priorities for action, identify financing instruments, implement and monitor commitments. hired.

Article 4

The Italian part finances the initiatives mentioned in this Memorandum or those proposed by the joint committee indicated in the previous article without additional charges for the Italian State budget with respect to the appropriations already provided, as well as using funds available from the European Union, in the compliance with the laws in force in the two countries.

Article 5

The Parties undertake to interpret and apply this Memorandum in compliance with international obligations and agreements on human rights to which the two countries are party.

Article 6

Disputes between the Parties relating to the interpretation or application of this Memorandum will be treated amicably through diplomatic channels.

Article 7

This Memorandum of Understanding may be amended at the request of one of the Parties, with an exchange of notes, during the period of its validity.

Article 8

This Memorandum enters into force upon signature. It is valid for three years and will be tacitly renewed on expiry for an equivalent period, unless notified in writing by one of the two Contracting Parties, at least three months before the expiry of the validity period.

Drafted and signed in Rome on 2 February 2017 in two original copies, each in Arabic and Italian, all texts being equally authentic.

For the Government of National Reconciliation of the State of Libya Fayez Mustafa Serraj,
President of the Presidential Council for the Government of the Italian Republic Paolo Gentiloni President of the Council of Ministers ".

The three months notice for a revision of the Memorandum expired on November 2, 2019 and was therefore renewed for three years. The Italian government has requested, in accordance with Article 7, its amendment and to start the discussion by convening as soon as possible the Joint Committee provided for in Article 3.

A debate has begun between the political forces and the organizations of Italian civil society in which critical aspects and requests for radical changes are not lacking.

The objectives that the Memorandum set were very pretentious and went beyond the possibilities of realization of the contracting parties.

In order to make a new agreement, it is necessary to carry out a serious, transparent and rigorous evaluation on what has been done over the past three years to "promote a more complete and broader vision of Euro-African cooperation, to eliminate the causes of illegal immigration,

in order to support the countries of origin of immigration in the implementation of strategic development projects, to raise the level of the service sectors thus improving the standard of living and health conditions, and contribute to the reduction of poverty and unemployment. What adequate support has been given "to the international organizations present and working in Libya in the field of migration to continue their efforts also aimed at the return of migrants to their countries of origin, including voluntary return".

Which development programs have been started and with what results to favor the "adequate job creation, in the Libyan regions affected by the phenomena of illegal immigration, trafficking in human beings and smuggling, in function of" income replacement "

The Minister of Foreign Affairs and International Cooperation, **Luigi Di Maio**, has confirmed that: ***"The agreements with Libya must be renewed but can be improved. For this reason, the Ministry of Foreign Affairs will propose the convening of the Italian-Libyan commission established by the Memorandum which will be tacitly extended for the next three years.***

A reduction in Italian assistance could result in a suspension of the activities of the Libyan Coast Guard with consequent greater departures, tragedies at sea and worsening conditions for migrants. The document can be modified and improved, but it is undeniable that it contributed, through the strengthening of the Libyan authorities' operational capabilities, to significantly reduce arrivals from Libya, from 107.212 in 2017 to 2,722 in October 2019 and consequently deaths in sea. Italy is the only effective partner of the Libyan authorities in the fight against trafficking in human beings: a possible denunciation of this agreement would represent a political vulnus in an already delicate phase of military conflict.

The government intends to work to better modify the contents of the memorandum with particular attention to the centers and conditions of migrants and to this end I will propose the convening of the joint Italian-Libyan commission provided for in Article 3 of the memorandum. In particular we will have to encourage further involvement of the United Nations, civil society organizations and the international community to improve the assistance of migrants rescued at sea and the conditions of the centers, in light of the fact that Libya is not a signatory to the status convention of refugees. The government is working with UNHCR, IOM and the European Commission to improve

the conditions of the centers and Italy will continue to support voluntary repatriations from Libya managed by IOM and UNHCR and to work for the implementation of humanitarian corridors in the EU. I remember that Italy is the only country to have organized humanitarian evacuations headed by Libya of particularly vulnerable migrants". **24** between deputies, senators and MEPs of center-left parties (Pd- Italian Left-Leu and Italia Viva) have asked, instead, to suspend the agreements with Libya.

"We can't pretend not to know. **The detention centers must be closed. The deterioration of the condition of stability in Libya and the information we have today on the condition of migrants imprisoned within governmental and non-governmental detention centers require us to start a series of reflections on policies to manage migratory flows.** The agreements with Libya contained in the Memorandum signed in 2017 and which is about to be automatically renewed are at the origin of a systematic violation of the human rights of people who try to escape from what is now considered a real hell. We cannot continue to turn away by pretending that we do not know the extent of the crimes we risk being co-responsible for. We demand that the Italian government immediately suspend the agreements currently in place concerning the support and coordination of the Libyan Coast Guard and the management of detention centers for migrants and that, at the same time, start the disposal of the mission to support the Libyan coast guard ".

Also **Lia Quartapelle**,

leader of the Democratic Party in the Foreign Affairs Committee in the Chamber, said: "For us the objective is clear: we must act immediately to respond to the UN appeal and **close the camps run by the Libyan government, already built in Gaddafi's time, and empty them through an evacuation plan to be carried out with European humanitarian corridors and voluntary repatriation to African countries. In the time strictly necessary to empty the fields, the UN and NGOs must be guaranteed access to all governmental fields.**

All our concerns must be expressed to the Libyan government with respect to the arbitrary detention regime in which tens of thousands of migrants are found, which according to Libyan law are all illegal, regardless of their status. To achieve this goal, we must maintain collaboration with the Libyan authorities, which began with the Memorandum, which must be modified. Just to allow the extraordinary evacuation plan and to allow international organizations to work on alternative forms to arbitrary detention. **"The National Asylum Table**, a collective made up of the major organizations dealing with the rights of migrants (including Arci, Amnesty, Intersos, Oxfam), asked with an open letter that the government and Parliament "immediately cancel the 2017 memorandum and the previous agreements with the Libyan government and that, without prejudice to humanitarian interventions, those of support to the Libyan authorities in the management and control of migration flows will not be refinanced. detention for migrants, guaranteeing them the necessary assistance and protection, under the aegis of the international community. The agreement, as it is now, provides for Italy to continue to finance the Libyan Coast Guard and detention centers in Libya , in fact becoming an accomplice to the horrors perpetuated on the skin of migrants.

It is not possible to control how Libya really uses the economic resources that come from Italy; in fact they end up supporting a government hostage to militias, human traffickers, and local mafias".

3. Responses to the humanitarian crisis

According to the Humanitarian Response Plan 2019 prepared by the UN office for human rights (<https://www.unocha.org/libya/about-ocha-libya>), the total population in Libya is around 6,700,000 people. More than 650,000 migrants are present in the country (around 470,000 (70%) come from sub-Saharan countries and 200,000 people (30%) from the countries of North Africa. Over 823,000 are instead considered people in need of immediate humanitarian assistance (between which 248,000 children.) Of these 187,000 are Libyan displaced persons due to the war, 404,000 are Libyans who have returned to the country from abroad, 57.546 refugees and asylum seekers registered by the United Nations.

According to data updated as of September 30, 2019, 58% of the people who fled from Libya have been returned. There are currently 5,000 people in Libyan prisons. As many journalistic articles have shown, the Libyans intercept migrants at sea so that they can be locked up in centers where people are tortured and raped, and seized for ransom. Some migrants after landings are sold to human traffickers. This picture got worse after the outbreak of the war. Refugees and immigrants suffer serious human violations, many of them are young people in transit from the countries of sub-Saharan Africa, who have run risks to reach Libya and are locked up in detention centers because illegal immigration is considered a criminal offense. The Tripoli government has faced the emergency supported by the team of humanitarian and international organizations but is facing multiple difficulties. Journalistic investigations and the same UN agencies have denounced criminal facts about buying-selling human beings, violence and abuse in detention centers, lack of fundamental services and non-respect for fundamental human rights. A situation that has led the United Nations Refugee Agency (UNHCR) to consider Libya as an "unsafe port" with what it should entail for the management of rescues at sea and for the management of migration flows to Europe.

Data from the International Organization for Migration (IOM) indicate the presence of 34 operational centers in the country, 15 of which are managed by the Libyan authority, and the remaining 19 managed by armed groups and militias. The number of migrants hosted in the centers varies constantly, in line with the changing seasons, the migratory flows from Africa and the attempts to cross from the Mediterranean with the consequent recoveries made by the Mediterranean intensify or diminish.

to the Libyan Coast Guard.

Analysis of the situation within the centers, carried out by NGOs operating in Libya, shows the need for urgent medical health assistance, a rapid improvement in hygiene conditions and guarantees on the nutritional intake of meals provided to prisoners.

Furthermore, people locked up in centers do not possess any basic necessities and most of them have lost their possessions and personal effects during the trip. The demographic analysis shows a significant percentage of women and children present in the centers (23% and 10% respectively). It is these most vulnerable categories that pay the highest price for this forced detention.

According to the surveys carried out by UNICEF, three-quarters of the migrant children surveyed said they had suffered violence, harassment or aggression from adults at different stages of the journey. Some children said they were abused by people who seemed to be wearing a uniform or belonging to the army or other armed forces. Many of the children interviewed report that they were treated as animals in the centers, harassed, beaten daily and forced to live without drinking water, food and medical care for prolonged periods of time.

Italian Cooperation operates in Libya with both emergency interventions and humanitarian aid, and with projects aimed at stabilization, rehabilitation and reconstruction using both bilateral and multilateral channels.

With regard to emergency initiatives, on the multilateral channel the Italian Cooperation has supported, since 2016, the first emergency activities carried out by some international organizations present in the country, such as ICRC, UNHCR, IOM, WFP, WHO, UNICEF. To these initiatives, health kit shipments were added in favor of numerous health facilities, including the Mitiga Civil Hospital, the Benghazi Hospital, the Marzouq Hospital and the Misurata Hospital, created in collaboration with the Base of United Nations Humanitarian Intervention (UNHRD) of Brindisi and the Italian Ministry of Defense.

The Italian Cooperation has also contributed to the activities of reclamation of unexploded ordnance and risk education carried out by the UN specialized agency UNMAS (United Nations Mine Action Service) with a contribution of 500,000.00 euros.

On the bilateral channel, in April 2017, the AICS Headquarters in Tunis launched the first emergency call for tenders for Civil Society Organizations (OSC) for an amount of EUR 1.5 million, as part of the "Emergency Program in Libya for the improvement of health services and the protection of vulnerable groups ", with which two emergency interventions are underway in the health and protection sector in the regions of Ubari (consortium NGOs CCS and TDH) and Sebha (consortium ONG CEFA , COSPE, CIR). This program also includes the supply of essential medicines to some hospitals, carried out under the direct management of AICS Tunis, for an amount of EUR 0.4 million. The first delivery of medicines to the Tripoli Children's Hospital took place on 7 December 2017, the second on 6 May 2018.

Two other calls for tender were launched by the AICS office in Tunis within the framework of two emergency programs worth a total of 6 million euros. Both programs aim to improve the living conditions of the most vulnerable groups among the migrant population and the host communities by providing humanitarian and life-saving interventions in eight migrant and refugee centers managed by the Directorate for Contrast to Illegal Immigration (DCIM). The execution of the activities was entrusted to the following Italian NGOs: HelpCode, GVC, Emergenza Sorrisi, ICU and Terre des Hommes, CEFA, FADV, CIR.

In 2018 two further calls for tenders were launched, respectively dedicated to technical assistance to improve access to essential services of some Libyan municipalities and a new emergency program for humanitarian interventions in the migrant and refugee centers of Gharyan, Sabratha, Zwara, Khoms , Janzour and for the Libyan host communities.

In September 2017 an intervention of 2 million euros was financed in favor of UNOPS entitled "Environmental health program for the city of Tripoli: Sustainable management of solid urban waste". This initiative aims to improve the hygienic-environmental conditions of the population residing in the municipality of Tripoli through a more efficient system of collection and management of solid urban waste. This stabilization intervention also aims to strengthen the technical and administrative planning capabilities of the General Service Company (GSC) and of the institutions involved in environmental management in Tripoli and ensure the implementation of measures aimed at achieving minimum environmental standards. The program also includes a series of direct actions aimed at resolving the problem linked to the failure to efficiently collect solid waste in the short term, through purchases of vehicles and equipment.

Still on the stabilization channel, in March 2018 an initiative worth a total of 3 million euros was approved, aimed at strengthening the capacities and skills of the Libyan local authorities in the sectors of land registry, local registry and taxation.

Finally, again in March 2018, the Operational Committee of the EU Emergency Trust Fund - North of Africa Window approved a Program entitled "Stability, recovery and socio-economic development in Libya", worth 50 million euros, which will be managed by the Italian Cooperation (22 million), together with UNDP (18 million) and UNICEF (10 million), to implement interventions to strengthen basic services in Libyan municipalities most affected by migration in the three-year period 2018-2021.

A program called "Reconstruction, stability and socio-economic development in Libya" was approved by the Operational Committee of the North Africa window of the Valletta Trust Fund on 7 March 2018. It is an extensive program, worth 50 million euros, of socio-economic support of Libyan local communities. The initiative, developed jointly by Italy and the European Commission, is aimed at the socio-economic development of municipalities, with a focus on basic services (health and education), water and hygiene, energy and small and medium-sized infrastructures. The overall objective of the action is to improve the living conditions of the population and of the communities that host migrants, responding to the needs identified at the local level based on a strategy of close consultation with the legally recognized central authorities (Presidential Council / Government of agreement national).

The initiative will be based on two main axes that will see the involvement, respectively, of United Nations agencies (UNDP, UNICEF) for the stabilization and infrastructure component, and that of the Italian Cooperation for the technical assistance and socio-economic development component, through direct interventions and / or via NGOs.

The breakdown of the components is as follows: 22 million euros in delegated delegation to the Italian Cooperation (MAECI / DGCS); 18 million to UNDP; 10 million to UNICEF.

The specific objectives of this intervention are:

- Foster an inclusive social and economic environment and greater stability in the region;
- Promote the resilience and recovery of local communities, including populations subject to migration and repatriation, particularly in conflict or post-conflict areas;

or expected results are the following:

- Training activities addressed to local institutions
- Equipment of local institutions and beneficiary entities;
- Strengthening of general public infrastructures;
- Awareness raising activities regarding interventions and results achieved.

A heated debate is taking place between the civil society organizations in Europe on which are the most appropriate choices to intervene in Libya.

The NGO network referring to Concord Italy has published a critical report on the Trust Fund (<http://www.concorditalia.org/wp-content/uploads/2017/11/rapporto-completo-EUTF.pdf>) in which it is stated that: *"The Trust Fund has created strong expectations in Libya and all the actors want a portion of the pie. To demonstrate their commitment to counteract the phenomenon of irregular migration and attract EU funds, local actors have partially replaced the industry of smuggling and trafficking with the detention industry, exploiting and abusing migrants ... "* *"... Since protection measures are difficult to implement, there is a risk that the Trust Fund, and therefore development finance, will be used above all to finance security measures".*

Some NGOs have decided that there are no conditions to intervene directly in the Libyan context and are engaged in denunciation and lobbying campaigns to change the political and diplomatic strategy of European governments.

Others believe it is right to guarantee humanitarian aid and save lives that risk dying by supporting the work that the United Nations and the Red Cross are doing in difficult conditions.

Nino Sergi, senior advisor to the NGOs of Link 2007, he published an in-depth reflection on the topic (<http://www.nino-sergi.it/diritti-umani/memorandum-intesa-italia-libia-revisione-disdetta/>)

which concludes by stating: “

Are we so certain that by abolishing the memorandum between Italy and Libya the most vulnerable people will find greater benefit in Libya, inside and outside the centers and at its land and sea borders? Who will have more hope of getting out of their suffering? That there will be more space for humanitarian action, pressures for respect for human rights, stabilization initiatives, dialogue between the parties, international action? I think I can answer no and be shyly certain of the opposite. In such difficult contexts it is always better, in my opinion, to keep the agreements alive, monitoring and improving them every time the opportunity arises, even behind the precious thrust of civil society organizations and the media".