



OXFAM MEDIA BRIEFING

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Jamal, 23, from Mogadishu (Somalia) looks out across the ocean after fleeing al-Shabab militiamen and taking a harrowing journey through Libya. He arrived in Italy in late May 2016. Photo: Pablo Tosco/Oxfam

‘You aren’t human any more’

Migrants expose the harrowing situation in Libya and the impact of European policies

Background

Thousands of refugees and migrants face kidnap, slavery, torture and sexual violence in Libya before crossing the Mediterranean Sea to reach Italy – if they are not killed first. Oxfam has spoken to men and women who have spent months being beaten, tied up like animals and sold as cheap labour in Libya’s shocking slave trade. Women are at an extremely high risk of physical and sexual violence, and men also speak of rape. For many, the hazardous escape from Libya across the Mediterranean is not a choice, but a matter of survival, even if it is against the odds. But due to EU governments’ flawed policies that aim to prevent people getting to Italy, thousands are trapped in the living hell that is Libya. The EU is meant to be a bastion of human rights: EU member states should ensure that migrants arrive safely in Europe where they can have access to a fair and transparent process for claiming asylum.

Introduction

Since April last year,¹ the Central Mediterranean route from Libya to Italy has become the major port of entry for migrants and refugees trying to reach Europe. More than 180,000 people arrived in Italy via this route in 2016.² Over 95,000 people have already arrived so far this year.³

Since the fall of Muammar Gaddafi in 2011, Libya has become an unstable state torn between militias with a weak central government. It is a breeding ground for gangs who kidnap, enslave and extort money from migrants, and people-smugglers who force their human cargo onto unseaworthy vessels in the knowledge they may never arrive at their destination. This report draws on the distressing testimonies of 258⁴ migrants who spent time in Libya before escaping to Italy.

The European Union's approach since 2015 has prioritized policies and measures designed to deter people coming to Europe by sea, ensuring they do not leave Libya. The February 2017 agreement between the Italian and Libyan governments is a case in point, as it would see more detention facilities set up in Libya to house migrants before being repatriated.

Since people's human rights are routinely ignored in Libya, as these testimonies show, it is up to Italian and EU governments to ensure that more people are not put in danger by being sent back to or imprisoned in the country. They must ensure that refugees can flee from danger and reach Europe, where they can have access to a fair and transparent process for claiming asylum. Measures like the recent French proposal to open processing centres on Libyan soil risk entrapping more people in a lawless and dangerous state. In addition, the EU should be investing in providing safe and regular routes for migrants and genuine development in countries of origin, instead of putting up fences and obstacles.

Fortress Europe

In February 2017, the Italian and Libyan governments signed an agreement to reduce the number of people leaving Libya to cross the Mediterranean to Europe. The agreement, endorsed by EU heads of state and government at the informal Malta Summit, stipulated that migrants would be held in camps in Libya subsidized by the Italian government while awaiting repatriation to their country of origin. The agreement would see migrants being detained in Libya where they would be vulnerable to violence and other forms of abuse.⁵

Limiting the number of people arriving in Italy seems to be at the core of the Code of Conduct drawn up by the Italian government in July, and endorsed by the EU to regulate search and rescue operations conducted by NGOs. This would ban NGO rescue ships from entering Libyan territorial waters, using lights to signal their location, or communicating with smugglers by phone to locate sinking vessels and save people from drowning. Under the proposed Code of Conduct, Italian armed police officers would be allowed to board the vessels and NGOs would be obliged to actively participate in anti-smuggling activities. Many NGOs are worried these last two points affect their humanitarian mandate and ability to focus on saving lives. They are also concerned about the requirement to take extra days to return people directly to ports instead of transferring people between rescue ships. These are among the reasons why these NGOs have refused to sign up to the Code of Conduct.⁶

The Italian decision on 2 August to send a naval mission to support the capacity of the Libyan coastguard to stop boats leaving Libya is the latest attempt to keep people from reaching Europe. Bringing them back to Libyan shores creates a vicious cycle where desperate people try repeatedly to escape abuse and death, and European forces prevent them from doing so.

The approach the EU is taking towards the Central Mediterranean route is based on the March 2016 deal between the EU and Turkey. Under its terms, Turkey agreed to stop

migrants from crossing the sea to the Greek Islands in return for €3bn to deal with Syrian refugees living on Turkish soil. Dubbed the 'one in one out' scheme, a Syrian refugee on the Greek Islands would be returned to Turkey, and in exchange, a Syrian asylum seeker in Turkey would be resettled in Europe. Oxfam, along with other NGOs, has criticized the granting of aid in exchange for managing migration flows towards Europe. This is because it effectively outsources the problem by pushing Europe's borders to other countries.

The EU Emergency Trust Fund for Africa⁷ also shows how the EU is trying to keep migration at arm's length. By encouraging development money to be spent on measures to reduce mobility at the borders of African countries, the EU is effectively moving its borders so they are out of sight and out of mind. This is a move away from development aid's actual purpose, which is to improve opportunities in developing countries, combat poverty and promote sustainable development. In some cases, the present policy goes against the wishes of African countries, resulting in refugee camps with extremely low standards. For example, in May 2017, the Italian Minister for the Interior Marco Minniti signed an agreement with the governments of Niger and Chad for the opening of refugee camps in these two countries, but there was no mention of any guarantee to respect the human rights of people within these facilities. It comes as no surprise then, that in 2016, the EU Trust Fund included just one project for increasing regional legal migration in Africa, while investment in preventing irregular migration and facilitating returns and readmission was more than 60 times higher.⁸

These are just some of the examples of the European Union's attempts to slam the door on people trying to flee war and escape poverty.

'The cell was full of dead bodies'

When migrants arrive on the shores of Sicily, Oxfam is there providing food, clothes, shoes and personal hygiene kits, as well as longer-term psychological and legal support. Oxfam Italy also helps asylum seekers find accommodation and learn Italian, and gives them cash to meet their basic needs.

The 258 testimonies gathered by Oxfam's partners MEDU (Doctors for Human Rights) and Borderline Sicilia, in two separate data gathering projects, paint a shocking picture of the conditions endured by people during their time in Libya. Of the 158 interviews with migrants (31 women and 127 men) gathered by Oxfam and MEDU in Sicily between October 2016 and April 2017,⁹ the vast majority had experienced some form of degrading treatment:

- All but one woman interviewed had suffered sexual violence.
- 74 percent said they had witnessed the murder and/or torture of a travelling companion.
- 84 percent said they had suffered inhuman or degrading treatment, extreme violence or torture.
- 70 percent said they had been tied up.
- 80 percent said they had been denied food and water during their stay.
- 60 percent had been deprived of medical care.

Sexual violence

**All names have been changed to protect identities.*

Hamza, 30, from Morocco, told how he almost died fighting off a gang who tried to rape him:

'I was detained by an armed gang while I was walking down the street in Tripoli. They hooded me and brought me to an underground prison. They asked me to demand a ransom from my family. They beat and wounded me several times with a knife. I still have the scars. I have no more strength in my forearms and they still

bother me. A muscle in my left arm was completely torn due to the maltreatment. I was on the verge of dying because of the beatings I endured to resist the traffickers who wanted to rape me. They regularly raped men. I have seen all kinds of sexual violence.'

Esther, 28, from Nigeria, recalls how she was locked up in Zawia prison, with her sister, for around five months:

'Men in uniform were violent and armed with guns, iron bars and sticks. They asked for blackmail money. I was beaten on every part of my body and forced to collaborate in sexual violence perpetrated against the other women. I have scars on my head and right arm. I lost my poor little child who was in my womb due to the beatings I suffered, and my sister died from the beatings and abuse. I lost a lot of blood without receiving any kind of help.'

Torture

Lamine, 18, from Senegal told how he was imprisoned in a cell in Tripoli alongside dead bodies:

'When I was captured, they hit me with a rifle on my head. I started bleeding and I fainted. When I woke up I thought I was dead. There was blood everywhere. I found myself in a cell with other people... The cell was full of dead bodies. I saw soldiers breaking the nose of one guy and beating him so seriously on his head that he lost his eyes. They broke my finger and cut my left leg with a knife. I remained there for three weeks, then one day when no one was watching I managed to escape through the bathroom window.'

18-year-old Chidi from Gambia spoke of the torture he was subjected to:

'When I had just arrived in Libya in 2016 I was kidnapped by a gang that brought me to the Zuwarah prison in Sabratha, where I remained for about three months with other detainees. Our captors gave us food once a day and regularly committed acts of torture and violence against everyone held there. I was subjected to repeated acts of suspension torture – where my hands were tied behind my back and suspended by a rope attached to the ceiling – and I was continually beaten over the head.'

Slave labour

Banna, 28, from Gambia, said he was forced to work when he could not pay the smugglers the ransom they demanded:

'They told us to give them money and to ask our families to pay a ransom, otherwise we wouldn't be released. I didn't have the money, nor family I could ask. They forced me to work. I was made to do any kind of work, sometimes they brought me to do robberies at night. There was hardly any food. They beat me continuously and violently, sometimes they tortured me. After suffering all the violence and torture, I now have problems moving my arms and get intense headaches. My eyesight has worsened as they often beat me in the face. I was imprisoned for seven months until the prison was attacked one day by a rival gang and I managed to escape during the conflict. Many people were left dead or seriously injured.'

20-year-old Moustapha from Senegal told how he realized he had been sold when he saw men exchanging money:

'There were 29 of us delivered to a Libyan who locked us in a small room where there was nothing for about 20 days. I was only able to get out because they made me cook for the other prisoners. They also forced me to do other jobs. One day I saw seven, maybe eight, people forced to get into a car. The man who drove the car gave money to the Libyans who imprisoned them. I saw other prisoners forced by torture, plastic melted onto their bodies, to call their families for money. I underwent torture and maltreatment. But one day I managed to escape, along with three others, when I was allowed to go and cook. In front of us was only desert.'

Held captive

18-year-old Peter from Nigeria was imprisoned in a house with 300 others. He said:

'Once we had arrived at Sabah in Libya, I was taken to the 'Ghetto', which was a huge house without any windows and with more than 300 Africans held inside. It was terrible: someone died every day, there wasn't enough room to sleep, there wasn't any drinking water and the food was all off. They gave us a phone to call our families and told us to ask them for money. If you couldn't pay the 1,500 Libyan dinars (€1,000 or almost £900), they kept you inside and beat you. I met some people who had been there for six months because they couldn't pay. I saw five people die in the Ghetto because of the lack of food and from gunshot wounds, which were very common. I was there for three weeks until a friend of mine paid the ransom for me – and I was released.'

25-year-old Jude from Nigeria said he was routinely humiliated during his time in a prison in Banjul:

'The guards passed us food through a slit in the door. Sometimes they came in and punished and humiliated us, like obliging us to stand naked while they were grabbing us by our ears. When I was too tired from overwork, the soldiers would come in, force me to lie down and beat me everywhere with sticks. I saw lots of people seriously injured because of the beatings: some were brought to the hospital – some others never came back.'

Death at sea

Since the fall of Colonel Gaddafi in 2011, the journey from Libya to Italy across the Mediterranean has been run by smugglers who have no regard for the safety of their passengers.

19-year-old male Emmanuel from Ivory Coast witnessed people dying on the boat he was travelling on:

'We finally left for Italy on a boat. They made us leave at night and eventually we got to the beach. They put 135 of us onto one rubber boat, driven by a Libyan. When it left the beach, the boat was already taking on water. Some people died. By the time we were rescued, the tip of the boat had completely deflated. The sea was very rough. We were rescued after a day by a big ship. Some people drowned while trying to get on the rescue ship. Then the Coast Guard arrived, who finished off the rescue, keeping everyone safe.'

Conclusion and recommendations

European policies will continue to fail if they do not take into account the experiences of people forced to flee from war and persecution and to escape poverty, and thousands more will die trying to reach safety. As these testimonies show, Libya continues to be a country marked by systematic human rights abuses committed by traffickers, smugglers, militias and bands of criminals.

The European Union's attempt to ensure people are unable to leave Libya puts more men, women and children at risk of abuse and exploitation.

Based on these accounts, Oxfam recommends:

- The EU and its member states should refrain from signing agreements that try to stop people in danger from leaving Libya by sea. Search and rescue operations serve a humanitarian purpose and should not be undermined by political pressure to stop migration.
- The processing of asylum applications must take place in a safe and secure environment. European countries should take their fair share of asylum seekers and allow vessels with anyone saved at sea to reach European shores.
- Once asylum seekers have arrived in Europe, more EU member states should offer to process their applications, so that Italy is not shouldering the responsibility alone.
- Finally, the EU and its member states should create more safe routes for migrants so they are not forced to risk their lives in Libya and by crossing the Mediterranean. Seasonal labour visas and humanitarian visas that protect refugees from persecution are examples of potential solutions.

Notes

1 UNHCR. (2017). *Desperate Journeys: Refugees and migrants entering and crossing Europe via the Mediterranean and Western Balkans routes*, page 6. Available from: <http://www.unhcr.org/58b449f54>

2 Ibid.

3 UNHCR. (2017). Operational Portal: Refugee Situations. Mediterranean Situation. Available from: <http://data2.unhcr.org/en/situations/mediterranean/location/5205>

4 This media briefing is based on two sets of interviews: Borderline Sicilia collected 100 interviews from male migrants between July 2016 and April 2017 in Sicily, and MEDU collected 158 interviews between October 2016 and April 2017 in Sicily. While the report contains testimonies from both sets of interviews, MEDU has extracted data on the type of abuses, which migrants have experienced themselves or have witnessed.

5 Oxfam International. (2017, 2 February). *EU-Libya plans shine spotlight on European duplicity*. <https://www.oxfam.org/en/pressroom/pressreleases/2017-02-02/eu-libya-plans-shine-spotlight-european-duplicity>

6 MSF. (2017, 31 July). *MSF committed to saving lives on Mediterranean but will not sign the Italian "Code of Conduct"*. <http://www.msf.org/en/article/msf-committed-saving-lives-mediterranean-will-not-sign-italian-%E2%80%9Ccode-conduct%E2%80%9D>

7 Set up officially in November 2015, at the Summit of La Valletta (11–12 November).

8 Oxfam calculations using data from the EU Trust Fund annual report: European Commission. (2017). *EUTF Africa 2016 Annual report*. Available from: https://ec.europa.eu/europeaid/eu-trust-fund-africa-2016-annual-report_en

9 Please see endnote 4.

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Oxfam is an international confederation of 20 organizations working together in more than 90 countries: Oxfam America (www.oxfamamerica.org), Oxfam Australia (www.oxfam.org.au), Oxfam-in-Belgium (www.oxfamsol.be), Oxfam Canada (www.oxfam.ca), Oxfam France (www.oxfamfrance.org), Oxfam Germany (www.oxfam.de), Oxfam GB (www.oxfam.org.uk), Oxfam Hong Kong (www.oxfam.org.hk), Oxfam IBIS – Denmark (www.oxfamibis.dk), Oxfam India (www.oxfamindia.org), Oxfam Intermón (www.oxfamintermon.org), Oxfam Ireland (www.oxfamireland.org), Oxfam Italy (www.oxfamitalia.org), Oxfam Japan (www.oxfam.jp), Oxfam Mexico (www.oxfamexico.org) Oxfam New Zealand (www.oxfam.org.nz) Oxfam Novib (www.oxfamnovib.nl), Oxfam Quebec (www.oxfam.qc.ca) Oxfam Brasil (www.oxfam.org.br), Oxfam South Africa (www.oxfam.org.za)