

LIBYA AND THE REFUGEES – ‘SPRINGBOARD’ TO EUROPE?

Péter Szilágyi¹.

¹Pannon University, Hungary

E-mail:

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Abstract: The migration from Africa to Northern Europe is not the achievement of the modern era. Undoubtedly, its greatest wave can be dated back to the end of the 20th century. Libya can be considered one of the most important countries having part in this process. The regime led by Gaddafi was defeated after introducing the sanctions of the UN against the country. As a result of it, the income from oil also decreased. As a response Tripoli raised the promotion of the migration from Africa to Europe onto governmental level. After the turn of the millenium it was Rome that applied to cancellation the sanctions against Libya. As the number if the immigrants arriving in the southern islands of Italy became intolerable. The relationship got back to normal in 2008 when Colonel Gaddafi and Silvio Berlusconi signed an treaty with great historical importance.

Keywords: Libya, Italy, North Africa, refugee, immigration, Muammar Gaddafi.

INTRODUCTION.

There has been dramatic change in Libya since the middle of February. The series of the revolutionary events starting from Tunisia and sweeping along Egypt have reached the big and the apparently stable country in Africa and it has overthrown Muammar Gaddafi's power lasting for over 42 years. At the time of writing this article Gaddafi hasn't been caught by the rebels yet, although the National Transitional Council (NTC) has

already put its headquarter into Tripoli and the flag of the old-new royal Libya can be seen on the square Martyr, previously called Green square.

The main aim of the new regime is to provide security, peace and order. Throughout Libya corps formed by the rebels, security units are patrolling to catch the citizens, solders and mercenaries of Gaddafi who are still at large.

It is the middle of September. The conditions seem to be improving in Libya. Unfortunately, it only seems to... The real torture is coming for lots of people now. It wasn't enough to go along the Sahara desert starving and being thirsty, it wasn't enough to be in poverty. They have become a scapegoat.

But who are they? Where did they come from? How did they get to Libya? We are seeking (also) the answers in our study. Please, join to us!

1. THE FORGOTTEN PAST.

The migration from the Sub-Sahara going through northern Africa and ramifying in the Mediterranean isn't considered to be a new phenomenon in the region. From the Middle Ages to the middle of the 19th century lots of caravans of slaves set out from the inner part of the Continent in order to sail throughout the Mediterranean Sea from the Sahara arriving in Tripoli, Tunis and Algir.¹

As a result of the widespread colonization, forming new trade routes and the opposition of the great European powers the slaves were replaced by the precious metals, the agricultural products, crops and raw materials.²

After the Italian-Turkish war in 1911-1912 the conditions were basically changed in Libya. The authority of Tripoli was taken over by Rome from Constantinople, later the migration from Libya to Europe was followed by the emigration from Europe to Africa and Libya. Thousands of Italian families left their home in the Italian Kingdom and sought possibilities in the new colony.

Parallely, the immigration was going on from Africa. During the World War I and II and the period between the two wars a lot of colonial nations appeared on the area of war which coordinated the majority of the immigrants on the way to Europe. France was the most essential colonial power and recruited thousands of aborigines into the army. Most of them settled down in Europe and united their family later on. After 1945 there was great need for workforce in the rebuilding Europe.

During both the period of the United Kingdom of Libya³ from 1951 and in the first decades of the Gaddafi regime lots of people set off hoping for better life through the Sahara to Europe so that they could provide their family with proper living conditions on the base of the salary, contribution in the welfare state. The chaos after the decolonization in Africa contributed to this process.

Although there were also people for whom the destination was the Libyan United Kingdom and later the Libyan Arab Republic⁴. After the discovery of oil several new workplaces were created in the northern African country and the social supplying system was also improving. King Idris⁵ and Gaddafi⁶ also had an important role in these changes. Undoubtedly, they gave priority to the development of the infrastructure, the modernization of the health care and the quality of the education.

After Gaddafi came to power he didn't have close relationship only with the Middle-East and the Palestínians but he also made the first political and economic steps towards the African countries.⁷ Besides he had significant policy in the Organization of African Unity. It made Libya and its leader more well-known with greater reputation in Africa so the country was more important not only as a transit country but as a destination/final one as well.

2. THE DECADES OF THE ISOLATION.

The policy of Gaddafi supporting the international terrorism was frowned upon by the US and UK governments. The last straw were the murder in London in 1984, the bomb explosion in Berlin in 1986 and the murder attempt over Lockerbie in 1988.

Sanctions were imposed against Libya by the United Nations in March in 1992⁸ as they blocked the investigation over the case of the terrorist attack in Scotland. These sanctions meant diplomatic, economic and military isolation for the country. The sanctions were temporarily suspended seven years later in 1999 with the intention of the two secret agents released by Libya who were suspected of exploding the flight of PanAm 103.

It was also Libya's interest to have the sanctions suspended as soon as possible. One of the most important reasons was that they couldn't get the vital military equipment to control the borders of the country both on land and at sea. Furthermore, they couldn't efficiently hinder the growing number of illegal immigrants from Africa into Europe.⁹

Three main routes were recorded by The International Centre for Migration Policy Development (ICMPD)¹⁰, on which most of the immigrants came from Africa to Europe. It was the eastern and the northern routes out of the eastern, western and northern African ones that particularly raised their attention as the both the starting point and the final destination of these routes was Libya. All of the people taking great risk and adventures headed for in most cases the Italian Lampedusa, Pantelleria, Linosa, Sycilia and the island of Malta.¹¹

Another great problem for Libya was the decrease in the oil income. It was by one-third lower when the sanctions were in force. It induced a serious problem as the social and economic reforms which had already been started previously couldn't have been carried out. It led to social-economic uproar in the country.¹²

Libya seems to have had „Janus-faced” policy that time. On the one hand, Romano Prodi submit an application to the United Nations (UN) by means of Italy to suspend the sanctions because of the above mentioned reasons but at the end of the 90s and after the turn of the

millennium Libya didn't do anything to put an end to the flow of migration. What is more, he helped them so that the southern countries of the European Union (EU) would face more difficulties and apply for suspension of the sanctions at the UN and the EU.

3. THE FORMING AXLE OF TRIPOLI-ROME.

After the turn of the millenium, in the middle of 2003, the tension seemed to be apparent, when Italy turned to the EU. The aim of Rome was to give the chance for Libya to buy suitable and efficient technical, military equipment by lifting the sanctions. The EU suspended the sanctions only in autumn 2004 after the US withdrew the ban on products and transportation.¹³

The Italian government sought help to represent their interes at Tripoli so that their navy could have patrollong activity in the harbours and the sovereign territory of Libya, which was refused by the government of Gaddafi referring to the colonial era.

The illegal immigration from northern Africa made Rome worried and anxious. The Italian government kept emphasizing how dangerous Gaddafi's Africa-policy might be for Europe, not to mention the fact that there was no obstacle to go across the land borders of Libya. The nationality of the refugees wasn't recorded but estimated by the ICMPD in 2003 and 2004 60% of the refugees going to Italy was from Egypt and 25-30% of them set out from the Sub-Saharan region. The number of the refugees was estimated to about 13 000- 14 000 people every year.¹⁴

Tripoli had to face not only the opposition of the Italian and Maltese government but it was urgent to handle the growth of dissatisfaction among the residents. It caused a serious problem as it was the illegal immigrants and the illegally employed workers who generated the public anger in the country.

However, before the turn of the millenium and at the millenium the government wasn't able to take firm steps to cut down on the number of the African immigrants - probably they didn't want to either - as after the sanctions were imposed by the UN the African states meant the escaping routes for Gaddafi.

It was the Organization of African Unity (later African Union - AU) and the countries participating in it that refused unanimously to carry out the part of the sanctions concerning the ban on flying. It was essential for Libya not only because it had some possibilities in the international political life but Libya also lost one of its vital allies and supporters after the Soviet Union had collapsed and the US had become one of the greatest powers in the world. After the sanctions were imposed in 1992 the US isolated Libya in both diplomatic and economic ways. Tha African link was the only solution for Gaddafi.¹⁵

4. BACK TO THE INTERNATIONAL LIFE.

From the beginning of new millenium Tripoli was more presentable on the stage of he international political life. One of the reasons is that Gaddafi disapproved of the terrorist attacks on 11 September 2001 and later he announced a war against the islam extremists. These steps had positive impression on the international public opinion and he had even stronger influence aganst the extremists in his home country.

The fear of the extreme islam fundamentalists always determined the colonel's policy. After getting power he suppressed all these kinds of attempts at a really early stage in the country. In several cases lots of secret agents were involved in searching for and liquadition of a person escaped formerly abroad.

On the course of the suspension of the sanctions - in the shade of the improving diplomatic links - nearly 145 000 illegal African immigrants were settled down back to their home country from Libya from 2003 to 2005. In 2003 45 000 foreigners were declared persona non grata, most of whom arrived from Sub-Sahara (33%), from Egypt (38%) and the minority of whom came from Niger (15%). In 2004 this number reached up to 75 000 and most of people ran away from Ghana, Nigeria and Sudan to Libya. This policy also contributed to forming a more favourable image about the colonel and Libya.¹⁶ The social and economic tension, which previously seemed not to be able to handled at all, among the residents could be also relieved by the settlements back to the home countries. There were several clashes among the local residents and the illegal immigrants in one of Libya's most essential towns, in Al-Zawija, and

in Tripoli. The consequence was fatal as lots of immigrants died.¹⁷

However, the most significant result was achieved by Gaddafi undoubtedly when he officially announced in 2003 that he would give up the production and use of weapons of mass destruction. Afterwards he refused to use any nuclear and offensive weapons and the liquidation of the chemical weapons of the country began.¹⁸

As a result of long discussions and negotiations the UN and the EU cancelled all the sanctions against Libya in 2003 and 2004. Libya was willing to pay compensation to the relatives of the victims of the explosion in Berlin in 1986 and the Lockerbie ones in 1988. The US established the diplomatic relationship again with the country in 2006 - after 1980 - and opened its Tripoli Embassy.¹⁹

5. THE REFUGEE POLICY OF LIBYA, ITALY AND THE EU.

On the turn of the millenium Libya didn't have immigration and refugee policy at all. They didn't make any difference between the legal and illegal immigration, the political asylum was unknown so it wasn't in force either, the certain parts of the treaty in Geneva Convention weren't ratified and the United Nations High Commissioner for Refugees wasn't acknowledged either. Libya didn't take part in the Barcelona Process and it didn't have any official relationship with the EU.

In 2005 Tripoli established two institutional authorities. The Passport and Control Department focused on the stricter controlling of the people going across the main Libyan border points and the Coastguard Service had harsher control in the coastal area.

According to the new laws passed in 2005 the illegal immigrants were sentenced up to one-year imprisonment. Libya made bilateral agreements with several EU countries including Italy. In accordance with the agreement the illegal immigrants arriving in Europe were first transported back to Libya and afterwards they were deported to their home country.²⁰

As a result of the expending relationships Africa-Europe conference was held on ministerial level by the Libyan government about the immigration and refugees on 22-23

November 2006.²¹ Italy and Malta from the side of the EU admitted to its great importance as a help to solve the problems in a constructive way. The conference gave the clear outline of the problem that must be faced by the Mediterranean countries, even the whole Europe and Africa in connection with the immigrants and the refugees, including the human rights, the asylum, health, workforce, security and the cultural conflicts.

It was even more important in the light of the fact that Libya became the most essential target place of the transit routes from Africa to Europe in the latest decades and 70-80% of the immigrants chose this route.

The number of the immigrants arriving in Italy through Libya meant a great alarm for the authorities in Rome and they were forced to form closer relationship with Tripoli. It was especially important for Italy as up to that time the immigration to the EU was seen as a security problem. We can say that the EU didn't have a detailed worked out strategy and any guidelines concerning the immigration to Europe in 2006. It was interesting, because Great-Britain had a proposal to think over the protection of the refugees in 2003 and it also contained the phrase „transit camp”.

In 2004 the European Council rejected the proposal but the European Committee emphasized that a new policy would be required in this issue. That year British, German and Italian proposals were handed in to the European Parliament, which would have kept the refugees in Africa besides Europe. This proposal was turned down by the European Parliament.

Italy took on the individual way to solve the problem as they thought the debates were completely useless. Italy started bilateral negotiations with Morocco, Tunisia and Libya. Rome wanted to convince the northern African countries with developing contributions and low number of immigration quota.

In October 2004 the Italian government thought that action speaks louder than words. Nearly 1000 people were sent back from Lampedusa to Libya ignoring any application for asylum and they were transported to their home country by Tripoli.²² As Libya previously rejected the relevant clauses of the Geneva Convention and the asylum procedure by the African Union, so it had to turn down all the applications for asylum

handed in by the immigrants from Libya to the territory of the EU. The EU condemned the Italian practice - which was applied against the refugees by the government on the island of Lampedusa from October 2004 to March 2005 - in a form of judgement in April 2005.

However, Italy had to cooperate with Libya in spite of the disapproving judgement and the increasing pressure of Brussels and Strasbourg. So that they could handle the situation in Sicily and on the island of Lampedusa. Rome gave financial contribution to establish and maintain camps on the territory of northern and southern Libya where the illegal immigrants and the people declared *persona non grata* from Italy were gathered. Furthermore, financial support was given to transport the people from the camp to their home country.

6. THE PROFITABLE ITALIAN – LIBYAN RELATIONSHIP.

The close and trustful relationship, even friendship between the Italian prime minister and the colonel also made the relationship between the two countries even stronger.

Silvio Berlusconi, the Italian prime minister reevaluated the previous Libyan policy in the middle of the decade and it meant a new chapter in continuing the relationships, in which mainly the economic and security issues had an important part. Besides the economic reasons Gaddafi wanted to deepen and improve the relationships having emotional urge as well.

The apparent result of the negotiations lasting for several years was the bilateral agreement signed in Benghazi on 30 August 2008. It sealed the friendship of the two countries forever. According to this agreement, as a result of the annual 200 million dollars' investment over 25 years - as a compensation for the colonial occupation from 1911 to 1943 - highway is to be built along the Libyan coast, which would link Libya to the neighbouring Egypt and Tunisia.

By means of the Italian government new blocks of flats are to be built, the Libyan students can get scholarships to the Italian universities and the Libyan retired people who are disabled due to the deployed mines back to the colonial era can get pension. Moreover, Italy established funds of 500 million dollars in order to create an electronic observing system along the Libyan

coastal area with the hope for decreasing the emigration to Italy.²³

After the ratification of the agreement signed by the two leaders the realization took place. The first result was achieved by the significant decrease in the number of the immigrants from Libya to Italy after the autumn 2008 as the Libyan officials put greater emphasis on controlling the borders and supervising the harbours and the coastal lanes. Profitable cooperation was formed between the Libyan and Italian coastal guards, which resulted in patrolling together and sharing information. The Libyan authorities permitted Rome that the Italian coastal guards could control the Libyan coastal area as well.

Besides the economic relationships also developed. The oil and natural gas stocks under the Libyan desert raised the attention of Rome but it had also several investments in the infrastructure and the service industry. All in all, the relationships were booming between Italy and Libya and the EU as well.

7. INSTEAD OF THE CONCLUSION – THE SORROWFUL PRESENT.

As a result of the widespread revolutions in the northern Africa in spring 2011 all the achievements in Libya concerning the immigration and the refugees have vanished. More and more ships and boats have come towards the coast of Italy from Libya since February. The problem is complicated. It is not only the people living in the inner part of Libya who want to get to Europe. There are also people who went to Libya earlier to take on work but they didn't feel safety there due to the current events. The Libyan residents are also escaping. Some of them try to manage on land, the others would rather choose the sea.

The black, African refugees are frowned upon by the majority of the Libyan local residents after the revolution. They are afraid of them as most of them served as a mercenary in Gaddafi's army and they couldn't leave the country and Tripoli after the loss of the Colonel's power.²⁴

Now the Libyan nation is punishing. The rebels have filled dozens of prisons with refugees and they are supposed to have served as a mercenary in Gaddafi's army. Evidence is missing. The most common argument against them is that

these people are black and they aren't supplied with the necessary documents, passport and entry stamp to Libya. They may have been in a better situation...²⁵

Crippled, dead, black bodies can be seen in the streets of Tripoli if the viewer watches TV, young rebels are celebrating. We hope the new Libya won't be like this one...

Notes.

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² Johnson Marian: *Calico Caravans: The Tripoli-Kano Trade after 1880*. In: *The Journal of African History*. 1976. I. 95-117., Wright John: *Libya, Chad and the Central Sahara*. C. Hurst & Company, London. 1989. 81-111.

³ 1951-1963 United Kingdom of Libya, 1964-1969 Kingdom of Libya

⁴ 1969-1977 Libyan Arab Republic, 1977- Great Socialist People's Libyan Arab Jamahiriya

⁵ Area Handbook of Libya. The American University by Stanford Research Institute, Washington D.C.1969., Higgins Benjamin: *The Economic and Social Development of Libya*. United Nation, New York. 1953., Houghton D. Hobart (Author(s) of Review): *The Economic Development of Libya. Report of a Mission Organized by the International Bank for Reconstruction and Development at the Request of the Government of Libya*. John Hopkins Press, Baltimore, 1960.

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⁷ Deeb Mary-Jane: *Libya's Foreign Policy in North Africa*. Westview Press, Boulder. 1991.

⁸ United Nations Security Council Resolution 731 (<http://daccess-ods.un.org/TMP/8351497.05410004.html>), 748 (<http://daccess-ods.un.org/TMP/8351497.05410004.html>), date of access: 03/09/2011

⁹ Ronen Yehudit: *A Libyan-Italian encounter: The changing mosaic of Mediterranean migration*. In: *The Maghreb Review*, Vol. 33. 1. 2008. 73.

¹⁰ An intergovernmental agency based in Vienna.

¹¹ Baldwin-Edwards Martin: „Between a rock & a hard place”: North Africa as a region of emigration, immigration & transit migration. In: *Review of African Political Economy*, No. 108. 317.

¹² Ronen Yehudit: 72.

¹³ <http://news.bbc.co.uk/2/hi/africa/3336423.stm> , date of access: 03/09/2011

¹⁴ Baldwin-Edwards Martin:317.

¹⁵ Ronen Yehudit: 76.

¹⁶ Baldwin-Edwards Martin:319.

¹⁷ Ronen Yehudit: 75.

¹⁸ http://news.bbc.co.uk/onthisday/hi/dates/stories/december/19/newsid_4002000/4002441.stm, date of access: 03/09/2011

¹⁹ http://www.usatoday.com/news/washington/2007-07-11-libya-ambassador_N.htm, date of access: 3/9/2011

²⁰ Baldwin-Edwards Martin:319.

²¹ http://www.africa-union.org/root/au/Conferences/Past/2006/November/SA/EU/Aide_Memoire.htm, date of access: 03/09/2011

²² Between August 2003 and December 2004 alone, the Italian government financially contributed to 50 charter flights from Libya that returned 5,688 people to their alleged origin countries, including Bangladesh, Egypt, Eritrea, Ghana, Mali, Niger, Nigeria, Pakistan, Sudan, and Syria. <http://www.migrationinformation.org/feature/display.cfm?id=484>, date of access: 03/09/2011

²³ <http://www.telegraph.co.uk/news/worldnews/europe/italy/2658703/Silvio-Berlusconi-apologises-to-Libya-for-colonial-rule.html>, date of access: 03/09/2011

²⁴ <http://english.aljazeera.net/news/africa/2011/09/20111102134823327.html> , date of access: 03/09/2011

²⁵ <http://english.aljazeera.net/news/africa/2011/02/201122865814378541.html>, date of access: 03/09/2011