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## COVID-19 and the Old-New Politics of Irregular Migration from Libya\*

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Unless you live in Malta, you might not have noticed an unprecedented search and rescue crisis that has revolved around this island nation since April of this year. What in normal circumstances would have occupied headlines across Europe, has nearly been driven into the background by the dramatic events surrounding the COVID-19 pandemic both in Europe and globally.

This crisis has been spurred by a progressive increase in illegal border crossings from Libya towards Malta and Italy. In turn, this increase is a result of at least two factors. The first is mass joblessness among Libya's large migrant population, caused by an economic decline due to the COVID-19 pandemic and the ongoing conflict inside the country. The second is a resumption of the activities of migrant smugglers, tolerated by the officially recognised Government of National Accord (GNA). The health crisis has confirmed Libya as the main North African country serving as a departure point for Europe-bound irregular migrants.

The pandemic and its consequences for irregular migration are highlighting the challenge that Libya, as a relatively wealthy but dangerous and conflict-ridden country, continues to pose to European politicians and policymakers.

### **COVID-19 and increased irregular migration from Libya**

#### **Trends in illegal crossings**

Frontex, the EU's border agency, registered a marked, and welcome, overall decrease in detections of irregular crossings into Europe in the first five months of the year 2020. However, in contrast to the other Mediterranean migration routes, the Central route has seen an increase in illegal crossings. Frontex figures show that the total for the first five months surpassed 5 700, nearly three times more than in the same period of 2019. Separately, the Libyan Coast Guard (LCG) intercepted 3,852 migrants in the first five months of 2020, a figure that is comparable to the situation in previous years.

With regard to the spike in crossings, the Central route from Libya and Tunisia in the south to Malta and Italy in the north stands out from the other two Mediterranean routes. In the west, Spain's comprehensive migration cooperation with Morocco has resulted in a decrease of illegal crossings when compared to 2019; the recently negotiated competence of the Spanish coast guard to return migrants directly to Moroccan shores is probably a contributing factor.

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In the east, the Greek government's determination to withstand Turkish efforts to push thousands of migrants over the border has resulted in an unexpected drop of irregular border crossings so far this year.

### **Job situation**

The main reason for the increase in the irregular border crossings towards southern Europe lies in the economic impact of the COVID-19 epidemic. Despite public perceptions, Libya is one of the wealthiest African countries, and that offers ample employment opportunities. Although conflict and violence-ridden, Libya is the final destination for most African and Asian labour migrants.<sup>1</sup> [According to](#) 2018 data provided by the International Migration Organization (IOM), there were 670 000 migrants and refugees in Libya, a figure which still holds today.<sup>2</sup> The share of migrants represents more than 9 per cent of the Libyan population, one of the highest percentages among African countries.<sup>3</sup>

Unconfirmed figures [cited by the UNHCR and IOM](#) suggest that perhaps as many as 75% of migrants and refugees in Libya have lost their informal jobs between March and April 2020. (In Tunisia, the UNHCR says 53% of migrants have lost their jobs due to the pandemic.) According to [official figures](#) only 670 cases of COVID-19 were registered in the country as of 25 June. To prevent the spread of the disease, curfews, home quarantine, and the closure of schools and markets were [imposed in April](#) by both the GNA in Tripoli and Khalifa Haftar's rebel administration based in eastern Libya. Although short-lived, these health measures, as well as the overall security situation in the country, have harshly affected the migrant population. Migrant employment has shown to be, due to the informal character and precariousness of the jobs involved, vulnerable to economic downturns. The difficult situation that the labour migrants outside the detention centres find themselves in, is prompting them to try their luck in Europe in higher numbers.

<sup>1</sup> The *New Humanitarian* [stated](#) that "it is still a mostly sub-Saharan African workforce that unloads cargo ships, tends to farmland, restocks shelves, operates most aspects of construction and demolition, and manages rubbish and street clearance. There are also Syrian and Ukrainian doctors and dentists, Indian and Iraqi teachers, Filipino nurses and oil workers, and Eastern European engineers."

### **The security situation in Libya and the return of the smugglers**

The security situation on the west Libyan coast is another factor in explaining the spike in illegal crossings. Territorial advances by the GNA and affiliated militias in the strategic north-west of the country have meant that, since mid-April, the conditions around the migration camps and ports of embarkation along the western coast have been stable. These advances, coupled with good weather during the spring, have allowed GNA-affiliated militias to resume human smuggling operations.

For example, the *Middle East Eye* [reported](#) that Ahmed Dabbashi, a key figure, has regained control over the "departure areas for migrants, camps, safe houses and boats" around the western towns of Sabratha and Sorman; this area serves as a launchpad for naval human smuggling towards Europe. Dabbashi commands a group called the Anas al-Dabbashi brigade that now dominates the area. According to informal reports, the Italian security services had been paying the 'Dabbashis' to stop human smuggling activities, but it seems that this method of influencing the smugglers is becoming less effective.

Finally, France and Italy have been fighting their low-level, yet persistent political conflict over stakes in Libya, including over business interests, migration, and anti-terrorism. The EU's weak position in the country has turned Libya into a theatre where an assertive Turkey is demonstrating its military prowess. As a result of its boosted military presence over the past several months, and working with the GNA, Turkey now controls access not only the East Mediterranean migration route but, to some extent, the Central Mediterranean route. Despite a UN embargo, an ever-increasing volume of weapons is being smuggled into Libya by an ever-increasing number of African and Asian governments.

<sup>2</sup> These migrants come to Libya through neighbouring countries. In 2018, more than 50% came through Niger, some 16 % from Egypt and 14 % from Sudan.

<sup>3</sup> From that total, only about 49 000 refugees and asylum-seekers are currently registered with the UNHCR. There are now some [1,800 refugees and migrants](#) held in detention centres in Libya, some 2 % of the overall number of migrants in the country.

## **EU policy in and towards Libya**

The EU is involved in Libya through multiple of channels. The task of the EU Border Assistance Mission in Libya (EUBAM) has been to assist the internationally recognised Tripoli-based Libyan government. EU-funded projects, mostly under the EU Emergency Trust Fund for Africa have been worth some 500 million euros since 2015. They have covered protection and assistance to migrants, refugees and internally displaced people, the stabilisation of Libyan municipalities and integrated border management. According to the European Commission, these funds have also [contributed](#) to the voluntary return of over 50.000 migrants to their countries of origin.

Direct resettlement of refugees in the EU has been conducted on a negligible scale due to the dire security situation in the country.<sup>4</sup> The Emergency Transit Mechanism with Niger has been more successful. Established in 2017, the Mechanism [has allowed](#) the evacuation of vulnerable refugees from detention in Libya to Niger. By February 2020, the UNHCR had evacuated all 3,080 people involved in the Mechanism to Niger. In 2019 alone, the total number of refugees resettled from Niger to the EU was 1131, according to UN data.<sup>5</sup> In 2019, [Rwanda volunteered](#) to serve as an evacuation country for Libyan refugees on a similar basis. While Niger (or Rwanda) are no match to Libya when it comes to employment opportunities, they offer immeasurably more safety.

Separately, the EU and its southern frontline states have been successful in reducing irregular migration across the Mediterranean. The peak of 181 000 crossings of the Central Mediterranean in 2016 had been [knocked down to 14 000](#) in 2019 due to EU and member state efforts.

Most of the existing policy tools to prevent irregular migration continue to be in place and have not shown any signs of weakening during the sanitary crisis. These policies include cooperation with the LCG and the Libyan authorities and, further afield, border control and economic assistance to Niger and Sudan, which are the main source and transit countries en route to Libya. Italy has assisted the LCG for years now. The EU's military operation IRINI to enforce the

UN arms embargo is mandated to train the LCG. Should IRINI's ships have to rescue passengers in distress, the details of disembarkation [remain secret](#).

The issue of the human cost continues to be debated and despite numerous horrifying reports from the Libyan detention centres, it is likely that EU policies have contributed to improvements in the situation of migrants across the country. On a wider scale, the EU's attempts to enforce the arms embargo have been ineffective. The [Berlin Process](#), an ambitious diplomatic process to bring about peace in the country, has, so far, been unsuccessful.

## **COVID-19 and the new seascape of search and rescue in the Central Mediterranean**

Apart from the economic situation in Libya, the COVID-19 pandemic has also affected the rescue operations in the Central Mediterranean. Strict measures brought about by Italy and Malta have partly calmed the domestic populations' fears (whether justified or not), but they do not seem to have resulted in a reduction in crossings from Libya.

Despite the pandemic, the South European and North African Maritime Rescue Coordination Centres remain obliged to coordinate the rescue of passengers that find themselves on boats in distress. With their domestic government resources consumed by the pandemic and justifiably cautious about guarding the borders, Italy and Malta attempted to restrict disembarkations. On 7 April, the Italian government of the Five Star Movement (M5S) and the centre-left Democratic Party [announced](#) a ban on disembarkations but only concerning those migrants that have been rescued by foreign-flagged vessels outside the Italian search and rescue zone.

On 10 April, the Maltese socialist government [completely closed](#) its ports and airports, not only to tourists but also to irregular migrants. As a new policy, the Maltese government began coordinating specially chartered private boats to return some of the rescued migrants to Libya. Another policy innovation was to transfer, beginning in late April, more than 400 migrants saved by the country's coast guard to tourist

<sup>4</sup> UN figures show that in 2019, only three EU countries resettled refugees from Libya, with the total in that year reaching 36 persons.

<sup>5</sup> It can be safely assumed that most of these refugees had been originally evacuated from Libya.

boats hired by the government. These boats had been docked for weeks just outside the country's territorial waters, however, the harshness of the Maltese measures proved counterproductive. On 6-7 June, Malta was forced to allow the migrants from the four chartered cruise boats to disembark. This change of heart occurred after protests on one of the ships turned violent and the crew's safety was endangered.<sup>6</sup> With the exception of three member countries, Malta's calls for solidarity on relocation of the newly disembarked migrants to other member states have fallen on deaf ears.

In their intentions, the severity of the Maltese short-term measures on disembarkation surpassed not only those undertaken by any previous Maltese government, but also the most hard-line policies undertaken by the Italian populist coalition of the 5 Star Movement--Lega, in power between June 2018 and September 2019.

The Maltese government also adopted a new long-term policy. At the end of May, Prime Minister Robert Abela [concluded](#) a deal with the Libyan PM Fayez al-Sarraj. The agreement provides for coordination between both governments, and a Maltese commitment to encourage the EU to increase its training for the LCG and provide funding for UN-run reception centres. As the terms of the deal have not been published, we can presume that the Libyans agreed to doing more to prevent disembarkations and to intercept more boats.

Separately from state policies, large maritime rescue charity organisations, such as [SOS Méditerranée](#) and Sea-Watch, had suspended their operations due to sanitary reasons, or because their ships were impounded by the authorities for weeks during the pandemic. Health fears had [split the paths](#) of SOS Méditerranée and the international charity Médecins sans frontières; both had, until April, cooperated on Mediterranean rescues. By the time of writing at the end of June, the Sea-Watch 3 charity boat had [sailed](#)

<sup>6</sup> One case illustrates the heightened inter-governmental tensions in the Mediterranean due to the pandemic. On 12 April, the Italian government [allowed the disembarkation](#) of a group of 101 people who had departed from Libya. The Italian government [claimed](#) that Malta's units turned the irregular migrant boat away at gunpoint from Maltese waters, and supplied them with fuel and coordinates to reach Italy.

[back](#) to the Libyan search and rescue zone. The [Med Alarm Phone](#), which runs a hotline for people in distress, has continued operating throughout the crisis.

Finally, the new situation in the Central Mediterranean has confirmed the key role of the LCG in responding to the calls of ships in distress in the Libyan Search and Rescue zone.<sup>7</sup>

### **What the pandemic has not changed**

Aside from the mass joblessness among migrants in Libya, the increased frequency of attempts to cross the Central Mediterranean and the harsher approach by the Maltese and Italian governments to rescue operations and disembarkations, certain features of Europe-bound African migration have remained unaltered.

One such feature is the inter-governmental conflict between EU states over where to disembark migrants, and how to allocate migrants once they have disembarked. Another is the skewed view of African migration to Europe which centres around the image of desperate Africans illegally crossing the sea to reach the promised continent. This image strikes fear in the hearts of sections of the European populace. The reality is much more prosaic. Annually, some half a million African migrants comfortably arrive in Europe by plane, having been granted legal residence permits.<sup>8</sup> This predominant mode of African migration consists of family reunification in Europe, mostly through marriage, and migration for education purposes. It is one of the paradoxes of today's migration discourse that the main channel of African migration is provoking very little political debate.

In this light, the migration dynamics between Libya (and Tunisia) on the one hand, and the EU on the other, centres on irregular migration and its prevention, which is atypical when compared to EU-bound migration from the rest of Africa. It remains that it is

<sup>7</sup> Although the LCG has continued to patrol the coast during the first months of 2020, their efficiency in suppressing human smuggling has decreased. The LCG was recruited by the GNA to join the fighting for Tripoli; they were also urged to focus on preventing maritime intrusions by Haftar's Libyan National Army.

<sup>8</sup> According to Eurostat data, the total number of residence permits granted by EU-27 to African citizens in 2018 was 464 000.

precisely this atypical, naval-based migration, that causes headaches to politicians, because of the chaos it causes in EU-level decision-making and the damage it can induce to relations between EU governments.

On the internal EU front, the COVID-19 pandemic has strengthened the existing trend whereby the political affiliation of a government faced with irregular migration on its borders is not relevant. In some cases, as in Greece, Croatia or Hungary over the recent years, including during the pandemic, right-leaning governments have put an emphasis on deterring irregular migration at their borders, in contrast to their left-leaning predecessors. In Malta and Italy during the health crisis, it has been centre-left governments that have developed policy stances that go beyond what even the most right-wing populism could otherwise muster. In Italy and Malta, the old distinction between the border-mongering right and the open-arms left is being put into question.

## **Recommendations**

Where political affiliation is still relevant, is in the overall approach to the external dimension of migration. The analysis above points to the recognition that preventing irregular migration and addressing its root causes need to become one of the pillars of the EU's foreign policy in Africa, and in particularly Libya. This is contrary to what some on the political left and in the non-profit community argue.

What is often forgotten is that this emphasis on migration controls will fail if it is not accompanied by a high level and comprehensive EU-wide effort to improve relations with relevant African countries and build up economic, trade, political and cultural cooperation. Labour migration channels could be opened once irregular boat migration has been completely stopped. But Europeans will not find negotiating partners among African nations if their rhetoric only exalts punitive measures on migration controls and readmissions. The right mixture of positive and negative incentives has yet to be found.

This all points towards the need for greater European involvement in Libya.

- Regarding the country's land and maritime borders, sustained support for the LCG and

Libyan border management and government administration in general needs to continue.

- Despite its problematic government, Malta has taken the right step in this regard, with its May 2020 accord with the GNA. Malta deserves wider EU support for its new approach.
- On a wider scale, EUBAM, the EU's border management mission, should be given even stronger political and financial backing.
- Ruling in the newly resurgent migrant-smuggling groups becomes an urgent task for Italy, Malta and the entire EU.
- Broadly in Libya, the governance structure, awareness of human rights requirements, transparency and pay are among the objectives to be pursued in the EU's support for managed borders.
- The EU should strengthen its engagement with Niger and Sudan as the two main entry routes to Libya for migrants and refugees, building on existing programmes. The goal is to minimise the possibilities of entry to Libya which, despite its relative wealth, provides no safety guarantees to migrants and refugees.
- Where EU efforts have failed to prevent the entry of migrants into Libya, the bloc should consider resettling higher numbers of refugees, as well as those migrants who have become refugees while in Libya. Resettlement following evacuation to Niger or Rwanda is the preferred outcome.
- Concerning the current crisis in the informal job sector in Libya, the EU might consider increasing its support for start-ups and small businesses. Likewise, municipal governments should receive more EU finance and support. Joblessness among the migrant population is bad for the migrants, for Libyan businesses and, ultimately, for the idea of stemming irregular maritime migration towards Europe.
- More widely, the EU should continue to play its current role as political supporter, donor, coach and advisor to the internationally recognised government in Libya. However, to obtain a stronger position in the country, the EU needs to start speaking with one voice.

The High Representative of the Union for Foreign Affairs and Security Policy needs to steer the national foreign affairs ministers towards this goal. It would be desirable that apart from Italy, France and Malta, other EU member states get more involved in these questions.

- Inside the EU, it is up to our prime ministers to explain to their voters the direct link between the security situation in Libya, and migrant boats heading towards the European shores. The country needs to rise up on the EU's list of priorities.

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