**The Impact of COVID-19 on the Conditions of Migrants in Libya & Djibouti**

**A Written contribution submitted to the report of** **the United Nations Special Rapporteur on the human rights of migrants**

 **Submitted by Elizka Relief Foundation**

**Introduction**

Most African countries have closed their borders in an attempt to contain the outbreak of the coronavirus, stopping cross-border trade and pastoral corridors resulting in the loss of livelihoods that were devastating for many including migrants in the absence of a social safety net. For example, migration flows in West and Central Africa have dropped by almost half between January and April 2020, leaving tens of thousands of people stranded and in need of assistance, shelter, healthcare and food.

Host countries are already under pressure to provide emergency health services and safety nets to their citizens and often lack the capacity and resources to support migrants, especially those lacking legal status in a transit or host. As a result, assistance for migrants during this global health crisis often comes from international organizations such as the International Organization for Migration, civil society actors or the diaspora.

**Based on the foregoing, Elizka Relief Foundation presents this contribution to** **the Special Rapporteur on the human right of migrants in Libya and Djibouti**, to address the situation of migrants under the Coronavirus pandemic in both Libya and Djibouti, and the extent of the impact of this pandemic on the conditions of migrants in the two states:

**First: The impact of the Covid-19 on migrants in Libya**

Libya hosts many vulnerable populations, especially in western Libya, in the capital, Tripoli. These population have faced several restrictions on their ability to take precautionary measures against the Covid-19 due to the ongoing war between the Government of National Accord in Tripoli, and an unrecognized rival government in eastern Libya, backed by the Libyan Arab Armed Forces. This situation does not only restrict citizens' ability to access essential supplies and services, but also impedes humanitarian organizations from reaching and assisting those in need. Civilian infrastructure has also been hugely affected by the indiscriminate attacks.

**a. Migrants’ conditions after Covid-19 in Libya:**

Migrants are subjected to inhumane conditions, they are backed in overcroded camps, that lack sanitation, food, and water, which resulted in malnutrition and lack of adequate health care. This, in addition to the reported cases of violence practiced by guards, who beat, flog and electrically shock residents. Even worse, migrants, refugees and asylum seekers in Libya were exposed to all kinds of diseases even before the Covid-19 pandemic. Those living outside detention centers and in urban areas have also been subjected to frequent arrests and have been denied access to basic services and health care.[[1]](#footnote-1)

In addition to these tragic conditions, the proximity of some detention centers to the front lines have led to the killing of more than 40 migrants and the injury of over 100 others in a detention center in eastern Tripoli since the beginging of Haftar’s attack in April 2019. Detainees are also at risk of contracting the coronavirus.[[2]](#footnote-2)

The fate of migrants and asylum seekers trying to reach European shores from Libya has become more uncertain due to the coronavirus and the recent decisions by Italian and Maltese authorities, which declared their ports "unsafe" due to the pandemic that prevents people rescued at sea from landing. The authorities in Libya have also prevented landings 8 due to the heavy bombardment taking place around Tripoli, leaving the migrant population in “Bahr Haram” unable to return to the port of departure. Although indications reveal continued departures from Libya, the absence of government and NGO maritime search and rescue operations makes it difficult to see what is happening in the Mediterranean, increasing the potential "undetected" shipwrecks and deaths at sea. Amid the general lack of available tests and water cuts in western Libya, it is almost impossible for a large number of Tripoli citizens to implement some “barrier gestures” such as washing hands to prevent the spread of the coronavirus, and hospitals have been left helpless unable to treat infected patients. These conditions are detrimental to the already-vulnurable migrants, who either live outside detention centers or are held in unsanitary conditions in overcrowded centers across the country.

A survey of 18 out of 1,350 migrants, conducted in April 2020, showed that migrants in western Libya, particularly in urban areas in and around Tripoli, have experienced severe food insecurity since the implementation of the coronavirus measures. 85% of those interviewed in **Abu Salim** district reported poor food consumption. Added to this is the high unemployment rate among immigrants surveyed. Statistics show an increase from 17% in February 2020 to 24% in April 202019.[[3]](#footnote-3)

Migrants in Libya are particularly vulnerable to COVID-19, as many have very limited access to information, healthcare and especially sustainable income, which, in turn, has impacted their living conditions that are now exacerbated by the additional challenge of movement restrictions. The deteriorating security situation exacerbates these challenges, and it de facto increases humanitarian needs and limits the ability of aid workers to reach vulnerable populations.[[4]](#footnote-4)

At least 1,400 migrants and refugees have been expelled from eastern Libya this year, and around 1,500 are currently presumed to be held in the Department for Combating Illegal Immigration (DCIM) detention facilities, where they suffer from difficult living conditions. In addition to rampant insecurity, there are also serious health concerns posed by the potential spread of the COVID-19 in detention centers where many of these migrants are held, and subjected to mistreatment, extortion, forced labor and torture at the hands of smugglers and human traffickers.

And in light of those circumstances that besiege them from all directions, whether in light of the existing conflicts or in light of the damage inflicted on them by the Coronavirus, and the government’s failure to take the necessary measures to prevent that virus, most migrants have tried to flee the war-torn Libya, but they failed to do it legally due to the pandemic restrictions.[[5]](#footnote-5)

After April 2019, migrants’ deportations have slowed down significantly due to the outbreak of conflicts in Libya. But now, such processes came to a halt entirely due to the coronavirus outbreak. Likewise, resettlement and evacuations through UNHCR in Libya have also been significantly delayed due to the pandemic and the closure of Libyan airspace.[[6]](#footnote-6)

**B. Precautionary measures and restrictions on human rights**

Lockdowns, curfews, travel restrictions and other measures to limit the spread of the coronavirus have prevented the population from equal access to healthcare. The pandemic is likely to exacerbate inequality, and the repeated attacks on health facilities have resulted in the damage and forced closure of health facilities. The facilities that have survived are ill-equipped and can’t deal with the pandemic. Consequently, the public health response to the epidemic has been severely inhibited, which has affected the conditions of migrants and prompted many of them to flee Libya, putting their lives at even greater risk.

In the same context, victims of human trafficking were exposed to the risk of exploitation in various ways. For example, isolation precautions create ideal conditions for traffickers to control their victims, and social distancing measures impede efforts to identify trafficking victims. Furthermore, the pandemic has restricted the availability of vital resources provided by the Libyan authorities for victims of human trafficking and those who have survived this kind of trauma.[[7]](#footnote-7)

The pandemic has also affected the operations to save lives at sea. On April 14, 2020, the UN-recognized Libyan Government of National Accord rejected permission to disembark migrants on Libyan land after the Libyan Coast Guard intercepted them. This comes in the wake of similar statements issued by European countries such as Italy and Malta, both of which have closed their seaports in face of immigrants.

While Libya has become increasingly unsafe for migrants, asylum seekers and refugees, the Central Mediterranean route through Libya has also become increasingly impenetrable and deadly. Human trafficking and smuggling have long been considered profitable income-generating mechanisms for predatory armed groups, and the need for armed groups to maximize resources in the context of a further escalation of the conflict coupled with the epidemic, may manifest itself in the form of further abuses against migrants, who will increasingly be subjected to extortion and trafficking.[[8]](#footnote-8)

**Second: impact of the Coronavirus on migrants in Djibouti**

Djibouti faces unique migration challenges due to its location at the crossroads of Europe, Asia and Africa. It is also a gateway from the Horn of Africa to the Middle East. Although it is undocumented, it had increasingly become a source and transit country for movements across the Gulf of Aden and beyond. So, the establishment of a presence in Djibouti will mark the expansion of the activities of the International Organization for Migration (IOM) in the Horn of Africa.[[9]](#footnote-9)

**a. Immigration conditions in Djibouti:**

Djibouti is a major point on migration route and thousands of illegal immigrants now use Djibouti as a destination and transit country on their journey to the Arabian Peninsula. Recently, Djibouti has witnessed an increasing influx of migrants and asylum seekers from the Horn of Africa and East Africa (mainly Somalia and Ethiopia), due to the critical situation in these countries that has exacerbated in the last few months due to the gowing food insecurity resulted from drought, food shortage, and collapse of law and order in Somalia, which became a matter of grave concern to neighboring countries.[[10]](#footnote-10)

Irregular migration often places people in precarious situations, exposes migrants to economic exploitation and abuse, physical or gender violence, detention in poor humanitarian conditions, potential transmission of diseases including tuberculosis and diarrhea, detention and even loss of life. Hence, the increasing influx of migrants poses a major challenge to the Djiboutian authorities that need additional capacity to deal with the current situation.

An estimated 100,000 migrants live in Djibouti, mostly from Ethiopia, in addition to 30,000 refugees from Somalia, Yemen, Eritrea and Ethiopia. The number of mobile population who lack access to water and sanitation increases the risk of disease outbreak.[[11]](#footnote-11)

**B. Impact of COVID-19 on migrants in Djibouti.**

Due to restrictions on movement triggered by the Covid-19, migrants from Ethiopia and Somalia, including children under the age of eight years old, returned to Djibouti after failing to reach Saudi Arabia, where the borders were closed. In addition to the grave risks and difficulties faced by migrants during their journy, some of them have managed to reach their destination, but were at a bad need of health care, which was difficult to obtain due to the authorities’ main focus on virus-related medications.[[12]](#footnote-12)

 An additional 1,239 Ethiopian migrants were stranded for several months across Djibouti and unable to reach Yemen or return to their homes. In April 2021, more than 2,400 migrants returned to Ethiopia without tests and were tested positive for the virus upon arrival in Ethiopia due to the continuing spread of the Coronavirus and the lack of preventive measures and tools for conbating the virus, in light of the economic conditions Djibouti suffers from.[[13]](#footnote-13)

**c. The impact of precautionary measures on the rights of migrants and refugees in Djibouti.**

 The precautionary measures taken by the State of Djibouti to confront the Coronavirus are considered to have a significant impact on vulnerable groups of population, including transit migrants. Although the border between Ethiopia and Djibouti has been reopened since July 2020, some transit migrants, who either leave or return from the Arabian Peninsula, remain blocked in Djibouti. Thus, refugees and migrants are considered to be at heightened risk as their social support networks are fragmented as the borders are closed.

The COVID-19 pandemic has significantly impacted the stability of markets, and clearly impeded access to affordable health services and food systems due to the seriously overstretched health system in the country, resulting in causing high pressure on poor services in refugee camps as well as rural and urban areas, leaving an increasing number of people With few basic services. Overall, during the global health pandemic, there were about 38% of transit migrants in Djibouti.[[14]](#footnote-14)

 Detained migrants are exposed to many risks due to the spread of the Coronavirus and the lack of the necessary means to confront it, in addition to the outbreak of HIV or tuberculosis, among other chronic medical conditions,[[15]](#footnote-15) hundreds of them are stranded due to travel restrictions and are stuck in the limbo without legal status or documentation and therefore lack certain rights such as access to services.

Movement restrictions due to the emerging coronavirus have significantly impacted travel; nearly 138,000 people made the journey in 2019, compared to 37,500 in 2020, and in January 2021 more than 2,500 migrants arrived in Yemen from Djibouti. The fear is that as restrictions ease, more migrants are waiting to cross, increasing the potential for future tragedies.[[16]](#footnote-16)

**Recommendations**

Elizka has tracked the map of migration and asylum in Africa by focusing on the main crossings in the east through Djibouti and the north through Libya, and the developments of the situation in light of Coronavirus and its impact, especially in light of the lack of financial capabilities and the poverty it suffers from. Accordingly, Elizka presents the following recommendations:

1. **First**, in the short term, the provision of funding by the international community for a comprehensive and conflict-sensitive response plan should be enhanced, and coordination with the Libyan authorities to facilitate the integration of vulnerable communities into response plans and activities.
2. **Second**: In the long-term, with regard to the situation in Libya, communication with the Libyan authorities should be made to implement the COVID-19 response policies and training packages, as well as with the Libyan municipal authorities to enhance long-term crisis management capabilities to be able to improve future responses to crises.
3. **Third**: The Libyan parties must fully adhere to the ceasefire to help create conditions for the delivery of life-saving aid and bring hope to the places most vulnerable to the coronavirus.
4. **Fourth**: The need to conduct protection monitoring related to the Coronavirus, protection and needs assessment through partners that provide support to vulnerable groups, collecting and analyzing data on population movement in border areas and the main gathering point, raising awareness of the risks and dangers of the Coronavirus, and monitoring diseases along migration corridors.
5. **Fifth**: Ensuring access to accurate information related to the disease, preventive measures and health response issued by the Ministry of Health for vulnerable groups, providing quarantine sites for land travelers, migrants and refugees in accordance with WHO guidelines, and facilitating voluntary return to neighboring countries.
6. **Sixth**, we stress that border controls and other measures must comply with the principle of non-refoulement and the prohibition of collective expulsion, as well as procedural safeguards, including due process, access to lawyers and interpreters, and the right to appeal a return decision.
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2. Idem [↑](#footnote-ref-2)
3. UN news, UN rights chief urges Libya, EU, to protect migrants crossing the central Mediterranean, May 2021, at: <https://2u.pw/PMH7g> [↑](#footnote-ref-3)
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6. United Nations Human Right, Press briefing note on Libya, at: <https://2u.pw/irO38> [↑](#footnote-ref-6)
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9. United Nations Djibouti, UN AND PARTNERS COVID-19 RESPONSE PLAN, Dec 2020, at: <https://2u.pw/nseeq> [↑](#footnote-ref-9)
10. IMO UN Organization, Thousands of African Migrants Return from Yemen, Assisted by IOM in Djibouti, Sep, 2020, at: <https://2u.pw/WOv7R> [↑](#footnote-ref-10)
11. Idem [↑](#footnote-ref-11)
12. Relief Web, Djibouti - Migrants Presence (6 May 2021), May 2021, at:<https://2u.pw/hhMBL> [↑](#footnote-ref-12)
13. The UN Refugee, Djibouti, at: <https://www.unhcr.org/djibouti.html> [↑](#footnote-ref-13)
14. Relief Web, IOM Djibouti COVID-19 Situation Report #9, 12 July 2020, at: <https://2u.pw/HzYIn> [↑](#footnote-ref-14)
15. Idem [↑](#footnote-ref-15)
16. Relief Web, Op.Cit. [↑](#footnote-ref-16)