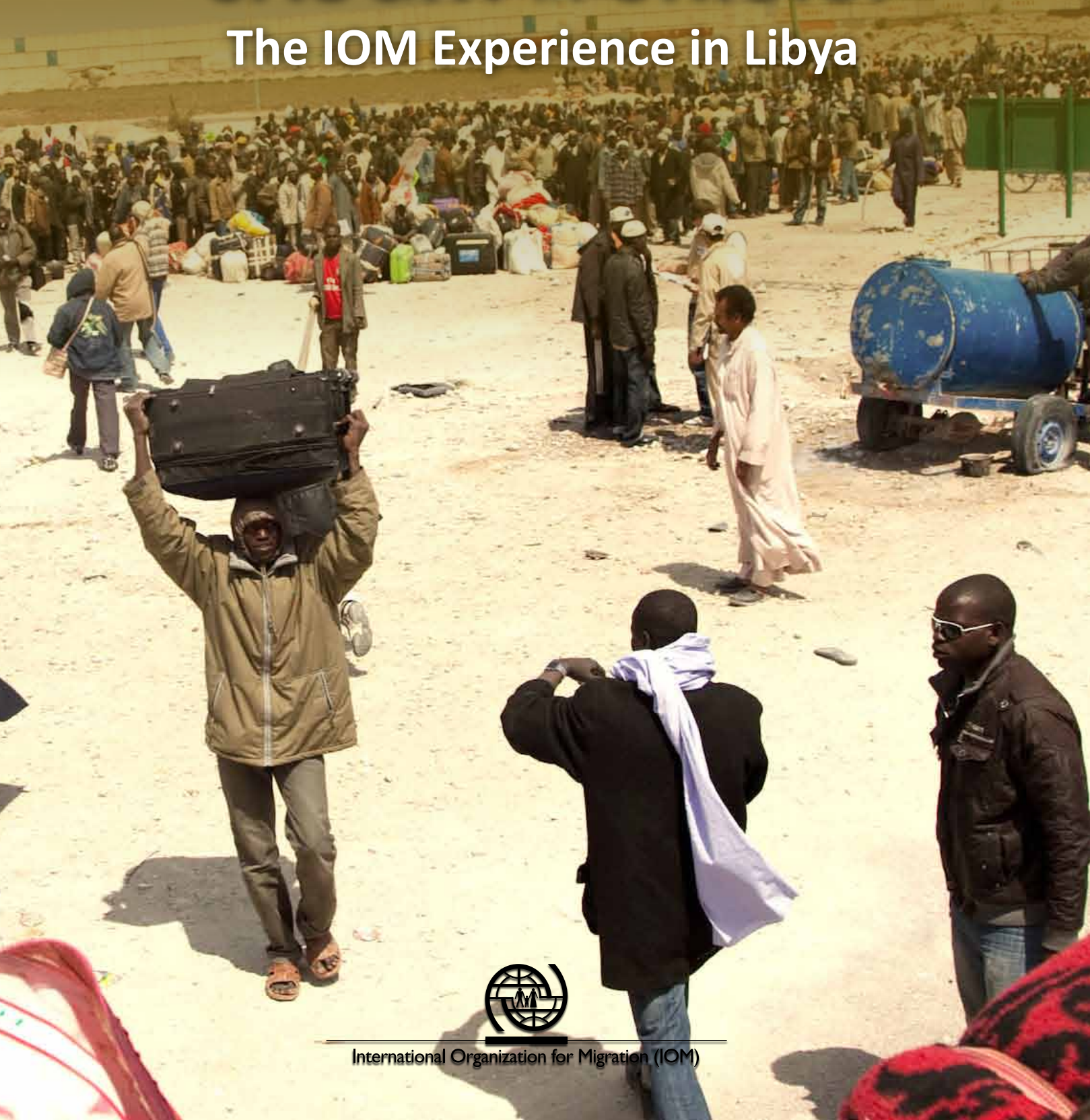# MIGRANTS CAUGHT IN CRISIS:

The IOM Experience in Libya

International Organization for Migration (IOM)

The opinions expressed in the report are those of the authors and do not necessarily reflect the views of the International Organization for Migration (IOM). The designations employed and the presentation of material throughout the report do not imply the expression of any opinion whatsoever on the part of IOM concerning the legal status of any country, territory, city or area, or of its authorities, or concerning its frontiers or boundaries.

IOM is committed to the principle that humane and orderly migration benefits migrants and society. As an intergovernmental organization, IOM acts with its partners in the international community to: assist in meeting the operational challenges of migration; advance understanding of migration issues; encourage social and economic development through migration; and uphold the human dignity and well-being of migrants.

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MIGRANTS CAUGHT IN CRISIS:

The IOM Experience in Libya

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CONTENTS

INTRODUCTION

Ever since a young Tunisian man set himself on fire in a public square in January 2011, the force of the Arab Spring[1] has spread across numerous countries in the region and has brought down several long-standing regimes, including that of Colonel Gaddafi in Libya. One year on, the impacts are still being felt, particularly on migration. In the case of Libya alone, since the end of February 2011, 790,000 migrant workers and their families have crossed the Libyan border into other countries to escape the ongoing violence.[2] This has resulted in the worst migration crisis seen in the region since the first Gulf War, when 250,000 migrants were evacuated (see box on migration crisis).

Although migration crises of this kind are not new, the massive outflow of migrants fleeing the violence in Libya represents one of the largest migration crises in modern history. Given that there were approximately 1.8 million migrant workers in Libya, a country heavily reliant on migrant workers before the crisis, it is clear that such large-scale movement has significant implications for the neighbouring region and beyond, as well as for the post-crisis reconstruction of Libya itself (IOM, 2011a). In comparison, the last major migration crisis directly affecting migrant populations was the 2006 crisis in Lebanon, which led to the mass evacuation of 35,000 migrants. Thus, the scale of the crisis in Libya has brought to the political foreground the issue of protection and rights of migrants caught in crisis; the role of State actors and international cooperation mechanisms in such situations; and the implications of such crises for migrants' countries of origin as well as for wider migration management systems. As the crisis in Libya has occurred alongside an ongoing food crisis in the Horn of Africa and food insecurity in several sub-Saharan African countries, in addition to political instability in others such as Côte d'Ivoire and Mali, the future stability of the region is a concern.

This report addresses the effect that the Libyan crisis has had on migrants caught in the crisis and the wider implications for migration in the region, based primarily on the experience of the International Organization for Migration (IOM) in the evacuation, return and reintegration of migrant workers from Libya. It contextualizes the crisis in Libya from a comparative perspective within the region and takes a brief look back at the socio-economic, political and migration situation, prior to the crisis. It then provides a detailed account of the evacuation of migrant workers from Libya and the central role played by IOM. The effects of the crisis on sending countries and their nationals are also examined, as are the implications for the post-crisis reconstruction of Libya. Finally, the report considers the challenges and lessons learned with regard to the international response to the Libyan crisis, before looking to the future and the migration policy challenges that have emerged.

What is a migration crisis?

While there is no formal definition of this term, IOM uses migration crisis to describe large-scale, complex migration flows resulting from a crisis and typically involving significant vulnerabilities for the individuals and communities affected. A migration crisis may be sudden or slow in onset; it can have natural or man-made causes; and it can take place internally or across borders.

Migrants caught in crisis situations fall into a number of different categories. In the context of the Libyan crisis, these categories are predominantly the following:

- migrants, in regular or irregular situations, who find themselves impacted by a humanitarian crisis arising from conflict and/or natural disaster in their state of habitual residence or the state in which they are physically present and who are unable to return to their state of nationality;

- migrants, in regular or irregular situations, who had to flee their state of habitual residence because of a humanitarian crisis arising from conflict and/or natural disaster and crossed an international border to a third country that is not their state of nationality. This category of migrants has also been referred to as third-country nationals. In the context of the Libyan crisis, third-country nationals (TCNs) are migrants who crossed the border from Libya to find refuge in a country that is not their country of origin.

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[1]   The Arab Spring refers to the wave of political demonstrations, protests and transitions that have swept the Middle East and North Africa since December 2010. The protests have largely taken the form of civil resistance in sustained campaigns involving strikes, demonstrations, marches and rallies, as well as the use of social media to organize, communicate and raise awareness.

[2]   This number only refers to migrants leaving Libya. It does not take into account Libyan nationals going back and forth into Libya.

SOCIO-ECONOMIC AND POLITICAL CONTEXT OF THE ARAB SPRING: THE LIBYAN CRISIS IN PERSPECTIVE

In hindsight, it is apparent that the socio-economic and political conditions in the Middle East and North Africa (MENA) region were bound to culminate in sweeping changes in the region – a movement now known as the Arab Spring. The entire region had suffered under decades of authoritarian regimes: Egypt's Hosni Mubarak was in power for 30 years; Tunisia's Zine El Abidine Ben Ali ruled the country for 24 years; and Muammar Gaddafi held power for 42 years. Throughout the region, decades of political repression and stagnation have taken their toll on the people as well as on their livelihoods and development opportunities – as reflected in the respective countries' 2010 Human Development Index rankings (see table 1).

Table 1: Human Development Index (HDI) scores for Egypt, Libya and Tunisia, 2010

	Egypt	Libya	Tunisia
HDI score (ranking out of 169 countries)	0.620 (101)	0.755 (53)	0.683 (81)
Inequality Human Development Index (IHDI) score	0.449	unavailable	0.511
Mean number of years' schooling of adults	6.5	7.3	6.5
Gender equality index (ranking out of 138 countries, based on 2008 data)	0.714 (108)	0.504 (52)	0.515 (56)

Source: United Nations Development Programme, 2010.

Of particular importance is the significant difference between the countries' HDI scores and their IHDI scores. The IHDI score can be interpreted as the actual level of human development, accounting for inequalities within a given country.[3] The difference between the HDI and the IHDI is interpreted as the loss in potential human development, due to inequality, and it is clear from these data that the actual HDIs for Egypt and Tunisia are significantly lower. The same is believed to be true

for Libya, although there are no official data to confirm this (UNDP, 2010).

Additionally, the 2011 Ibrahim Index (a measurement of African governance)[4] found that, although Egypt, Libya and Tunisia ranked relatively high among the African countries that it measures (tenth, twenty-eighth and ninth, respectively), all three ranked poorly in terms of participation and human rights (see table 2).[5]

Table 2: Governance index scores for Egypt, Libya and Tunisia, 2000–2010

	Egypt	Libya	Tunisia
Overall Ibrahim Index (ranking out of 53 countries)	61 (10)	50 (28)	62 (9)
Human Development Index (ranking out of 53 countries)	76 (9)	82 (5)	88 (1)
Participation and human rights Index (ranking out of 53 countries)	39 (34)	19 (51)	42 (34)

Source: Mo Ibrahim Foundation, 2011.

It has been posited that the issue of governance was the critical socio-political factor that precipitated the Arab Spring. Even if a country is wealthy, its citizens are unlikely to be content if they are unable to participate in the political process. Furthermore, before the events of the Arab Spring, the MENA region also suffered from several entrenched, long-term economic challenges,

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[3]   Please see: http://hdr.undp.org/en/statistics/ihdi/

[4]   The Ibrahim Index is Africa's leading assessment of governance, providing a framework and tools for citizens, public authorities and partners to assess progress in governance. It compiles 86 indicators grouped into 14 sub-categories and four overarching categories to measure the effective delivery of public goods and services to African citizens (http://www.moibrahimfoundation.org).

[5]   Participation is determined by indicators relating to free and fair elections, political participation, electoral self-determination, and the effective power to govern; and the indicators for human rights relate to core international human rights conventions, human rights, political rights, workers' rights, freedom of expression, freedom of association and assembly, and civil liberties (http://www.moibrahimfoundation.org/en/media/get/20111003_ ENG2011-IIAG-SummaryReport-sml.pdf).

such as inequitable growth, volatile food prices, and a lack of sustainable job creation – all of which added significant momentum to the Arab Spring movement (World Bank, 2011a). High unemployment rates (especially for youth, university graduates and women) remain a significant problem. For example, in Egypt in 2010, over three quarters of unemployed people were youth under the age of 30. The MENA region is also the area with the world's lowest rate of women in the labour force (with only 26%, compared to 61% in peer middle-income countries overall) (IFAD, 2011). Poverty is also an issue that presents a challenge: while only 4 per cent of the region's population was living on USD 1.25 per day or less (the extreme poverty line) in 2010, when the benchmark of USD 2 per day was used, the figure jumped to 17 per cent for the region (a 2008 measure). At the same time, however, the region did enjoy a relatively secure economy, cushioned by revenue reserves (especially in Egypt and Tunisia), and the effects of the 2008/2009 economic crisis were less severe in the MENA region than in other regions of the world (IFAD, 2011; IOM, 2010).

Demographically, certain trends in the MENA region have the potential to represent an economic strength – such as the so-called 'youth bulge'. This was the result of a period of high fertility in the 1980s, followed by a period of governmentally-encouraged lower fertility from the 1990s to the present. In the region, there were 96 million people aged 20–29 in 2010 (over 30% of the population), and it is projected that there will be 104 million in 2030 (Fargues, 2008). While a youthful cohort can be dynamic, open to change, and a driver of economic growth, these positive characteristics can be rapidly eroded by the absence of meaningful employment and sufficient opportunities. A significant

proportion of participants in the nascent Arab Spring movements across the region were young people, protesting the lack of jobs, persistent poverty, and overall stagnation of their countries.

It is important, however, to distinguish between the uprising in Libya and uprisings in the rest of the region. The Libyan uprising was a movement against the leader of the country, essentially from its inception (whereas in Egypt, for example, the protests began in reaction to unemployment and stagnation and culminated in calls for Mubarak's resignation). It rapidly spiralled into a protracted civil war, with the aftermath posing challenges quite different from those experienced in other countries, including a migration crisis (Anderson, 2011). It is also important to be aware of Libya's tribal context, which differentiated its pre-Arab Spring situation from that of Egypt and Tunisia. Even before Gaddafi came to power, Libya historically had little sense of nationhood, instead relying on tribal systems for local governance, security, and other needs (Kirkpatrick and Chivers, 2011). During Gaddafi's 42-year rule, he was able to exploit this social structure by punishing or rewarding individuals and entire tribes, depending on their loyalty to the government. When the violence broke out in Libya in early 2011, these tribal divisions came into sharp focus, as the rebels (and eventually the Army of the National Transitional Council) began targeting Gaddafi's tribe (the Gaddafa) and other tribes who supported him, such as the Maghraha. It has been noted by some, however, that the political power and animosity of these tribes were artificially inflated by the Gaddafi regime for political expediency, and that their role, post-Gaddafi, may not be as contentious as many expect (Dobbins and Wehrey, 2011).

MIGRATION TRENDS AND POLICY IN LIBYA BEFORE 2011

The migration crisis that erupted in Libya post-February 2011 cannot be fully understood without a closer look at prior migration trends in Libya and the region – particularly in countries such as Egypt and Tunisia, which also faced political upheaval. Between 2005 and 2010, there was an increase in the total number of migrants in the region (from 22.1 to 26.6 million), with countries in North Africa (traditionally migrant-sending countries) increasingly becoming countries of transit and/or destination (particularly Libya) (UNDESA, 2009; IOM, 2010). Migration in the MENA region pre-2011 has also been characterized by four additional trends: 1) the flow from the region to Europe – first, for labour migrants and, later, for entire migrant families; 2) migration to the Gulf States, mainly from Egypt (particularly after the 1973 oil crisis) and Asia; 3) intraregional movement to Libya, also largely from Egypt; and 4) trans-Saharan patterns of migration, which generally involve sub-Saharan Africans migrating to North Africa (Bonfiglio, 2011).

When compared to countries such as Egypt and Tunisia, Libya differed significantly in terms of migration trends and the scale of migrant workers present in the country. For example, in Egypt, data from 2006 show that approximately 2 million Egyptians (representing just over 3% of the total population) lived outside of the country. Egyptian emigration to Europe is fairly gender-balanced (58.1% are male), while Egyptian emigration to other Arab States, such as Libya, is almost exclusively male, comprising 96.6 per cent of employed migrants (DiBartolomeo et al., 2010a). In terms of inflows of migrants to Egypt, there are fewer economic migrants than there are refugees. Palestinian refugees form the largest group of refugees within Egypt, although the number of Iraqi refugees has also increased rapidly since 2006 (ibid). Based on the 1996 census, there were 115,589 documented foreign nationals in Egypt, which amounted to 0.2 per cent of the total population. This number is thought to be a severe underestimate, as undocumented migrants (including a large number of refugees) are not included in this statistic. According to UNDESA, migrant stocks totalled 244,714 in 2010 (UNDESA, 2009).

Migration in Tunisia pre-2011 was also similarly characterized by a large outflow of its citizens to destinations abroad. In 2008, 1,058,700 Tunisian citizens (10.2% of the Tunisian population) were living abroad, according to Tunisian consulates around the world. Increasingly, these immigrants are highly skilled (as were 30% of Tunisian immigrants in 2008). Additionally, among Tunisia's youth (aged 15–29 years old), there is a particularly strong wish to emigrate: in a survey carried out in Tunisia in 2006, it was found that 76 per cent of people aged 15–29 contemplated emigration (Fourati, 2008). This large outward flow is not, however, countered by an equal inflow: only 0.3 per cent of the total resident population is comprised of regular migrants (representing 33,591, according to UNDESA migrant stock data for 2010). The majority of foreign nationals living in Tunisia come from other Maghreb countries, and the majority are also highly-skilled (58.1% have graduated with a degree or higher qualification) (ibid.).

Libya, by comparison, has been predominately a destination and transit country for regular and irregular migrants alike. While it was a major destination country in the 1990s, encouraging low-skilled and unskilled workers from sub-Saharan Africa to fill its need for manpower, it increasingly became a transit country in the 2000s. At the same time, large-scale deportations of irregular migrants were carried out throughout the 2000s, resulting in the removal of possibly hundreds of thousands of irregular migrants (CARIM, 2010). According to UNDESA, the number of migrants in Libya in 2010 totalled 682,482, which amounts to 10.4 per cent of Libya's total resident population (2009). In addition to these figures, Human Rights Watch estimated that there were between 1 million and 1.2 million irregular migrants in Libya in 2006, with the majority coming from West Africa and the Horn of Africa (Human Rights Watch, 2006). Other sources suggest that Libya hosted between 2 million and 2.5 million migrants (approximately 25% of its population) (Boubakri, 2004), highlighting the fact that migration data in Libya are variable and that no accurate estimates exist. The lack of accurate data on migrant populations in Libya proved to be a challenge

when assessing the scale of needs during the evacuation and returns efforts.

Libya's migration policies have also played a crucial role in shaping its migration trends and patterns. An analysis of Libya's pre-crisis migration framework helps to further frame the situation that Libya is currently facing, in terms of migrant workers caught in the crisis (those evacuated and those still in Libya) and the implications for Libya's post-crisis migration policy. Libya's migration policies over the last 20 years have been characterized primarily by two elements: 1) its pan-African policies and 2) European Union (EU) cooperation aimed at combating irregular migration to Europe.

As a response to the United Nations Security Council air and arms embargo on Libya between 1992 and 2000, and the perceived lack of support among Arab countries, Gaddafi shifted his foreign policy towards Africa. Part of this policy entailed opening Libya's doors to migrant workers from sub-Saharan Africa to work in Libya, causing increased arrivals of Western and Eastern Africans (de Haas, 2006). This increase, however, also led to the further segmentation of the Libyan labour market, as Libyans were unwilling to fill unskilled positions in areas such as construction and agriculture (despite calls to nationalize the workforce) (ibid). In 2000, in response to a backlash against migrant workers (which involved anti-migrant clashes and rising xenophobic attitudes towards migrant workers), the Libyan Government put in place more restrictive migration regulations and carried out the forced removal of about 1,450,000 irregular migrants between 2003 and 2005 (ibid).

In 2004, the EU lifted its arms embargo and economic sanctions on Libya, which had been in place since 1992. The beginning of dialogue and cooperation between the EU and Libya resulted in Libya becoming one of the EU's main partners in its fight against irregular migration – a partnership that focused on securing the EU's southern Mediterranean border. Libya's relationship had been particularly strong with Italy, with whom it signed a 2008 Treaty of Friendship, stipulating that Libya increase its efforts to stop irregular migration to Europe, in exchange for EUR 5 billion provided by Italy to assist Libya in this endeavour. As part of this agreement, Libya coordinated land and sea efforts with the Italian Navy and Coast Guard, in order to intercept migrants before they reached the European Union (Araujo, 2011; Donadio, 2011). In 2008, official negotiations to establish a framework agreement between the EU and Libya also began. In 2010, these parties, together with the EC, agreed on a Migration Cooperation Agenda, which included border management, anti-human-trafficking measures, mobility and dialogue on international protection and refugees (Araujo, 2011). While Libya is party to the 1969 Organization of African Unity (OAU) Convention, it is not a signatory of the 1951 Refugee Convention. Libya also ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families in 2004. Cooperation between the EU and Libya has focused mainly on security measures and has been criticized for lacking a human rights dimension (ibid). The onset of the crisis in Libya therefore caused tension among European governments who were unsure of the impact the ongoing conflict would have on migration flows towards Europe and on the upholding of previously concluded agreements.

EVACUATION AND RETURN OF MIGRANT WORKERS FROM LIBYA

Since the beginning of the civil unrest in Libya at the end of February 2011, 790,000 migrants have crossed Libyan borders (according to information compiled by IOM from national sources at the Chadian, Egyptian, Nigerien and Tunisian borders, as well as in Italy and Malta). The data reported in the following sections have been compiled by IOM staff at major border crossings, in cooperation with national authorities. Migrants assisted with onward transport by IOM, whether by air or road, are registered by IOM and statistical reports are updated regularly.[6] In order to respond effectively to the needs of returnees from Libya in their home countries, IOM and its national partners also carried out needs assessments in Burkina Faso, Chad, Ghana (UNDP-led), Mali, Niger, and Senegal (IOM, 2011b). As assessments were carried out using different methodologies, the results are not directly comparable, although they do provide insights regarding observable trends. IOM Cairo also conducted a socio-economic profile of Egyptians fleeing Libya, and IOM Tunisia is implementing a socio-economic evaluation of Tunisian returnees from Libya, along with an evaluation of possible post-crisis employment opportunities for Tunisians in Libya. Similarly, IOM in Bangladesh has carried out a survey of returning Bangladeshi migrants; results of which are forthcoming.

ANALYSIS OF IOM OPERATIONAL DATA: HOW MANY LEFT? WHO LEFT? HOW DID THEY LEAVE? WHERE DID THEY GO?

Migration flows have been composed of migrants directly crossing the border to return to their countries of origin – Chadians, Egyptians, Nigeriens and Tunisians, as well as TCNs representing more than 120 nationalities (and accounting for almost half of the total migrant flow). Third-country nationals, in the context of the Libyan crisis, refer to migrants who crossed the border from Libya to find refuge in a country that is not their country of origin. Additionally, while Libyans also crossed the borders in large numbers, they mostly engaged in circular movements for short periods of time, either to buy goods (including gasoline, due to a shortage in Libya) or to bring their families to a secure location. Until August 2011, IOM had been sharing (via its daily statistical reports) information collected by border management authorities on the number of Libyans crossing into Egypt and Tunisia – noting, however, that most of those movements were circular. By the end of August, as the Gadaffi regime fell, only 4,500 of the 247,167 Libyans who had crossed the Egyptian border were reported to have remained in Egypt for a longer period of time. The more than 626,010 who had gone to Tunisia returned to Libya. Libyans did not seek temporary shelter in camps along the border, with the exception of thousands of Libyans who fled the heavy fighting in the Nafusa Mountains in late April 2011 and sought temporary shelter in Tataouine, Tunisia. National authorities in neighbouring countries confirm that Libyans have not requested refugee status and, at the time of writing this report, there are no reports of large pockets of Libyans still residing with host families in neighbouring countries.

The following country-by-country breakdown provides a detailed look at how many migrants left Libya, where they moved to, and their socio-economic profile (where available), based on IOM operational data and country-level assessment reports.

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[6]   For IOM daily situational reports, further details on daily cross-border movements and statistics by country, see the IOM web page on the Migration Crisis from Libya: http://www.migration-crisis.com/libya/

Egypt

Egypt was the first country neighbouring Libya to experience the impact of the crisis. As early as 22 February 2011, Egyptians, other migrants and Libyans started fleeing Libya as the Libyan city of Benghazi (some 500 km from the border) began its revolt against Gaddafi's regime. Between 22 and 25 February 2011, 46,700 people crossed the border, 81 per cent of whom were Egyptians. Humanitarian actors were deployed to the border to assist migrants, and IOM began receiving notes verbales from governments of migrants' countries of origin, requesting that the Organization, in line with its international mandate, support the evacuation of their nationals.

By January 2012, IOM, in cooperation with the border authorities, recorded 263,554 persons (including 173,873 Egyptians and 89,681 TCNs) crossing the Libyan–Egyptian border. A large portion of the TCNs fled on their own, with no request for assistance. This was especially the case for nationals from countries benefiting from a regime of free movement with Egypt (mainly nationals from Middle Eastern countries and Sudanese citizens) who did not have to wait for visa processing at the Salloum border crossing point.

As mentioned previously, Egyptians constituted a major migrant group in Libya before the events of the Arab Spring. According to figures provided by IOM, Egyptian migrant workers who fled Libya during the crisis returned home directly through the border but also by air and sea evacuation, mainly from Tunisia (IOM, 2011c). According to the final count provided by Egyptian consular authorities, up to 63,000 Egyptian nationals made their way to the Tunisian border in just four days at the start of the crisis (28 February – 3 March 2011), creating an unprecedented situation that led to the mobilization of significant resources to decongest the overwhelmed border area through air and sea evacuations to Egypt.

A survey carried out by IOM of over 1,200 returning Egyptian migrants who had been living in Libya (ibid) reveals the following personal profile of Egyptian migrants: 99 per cent were male and were mainly between 20 and 30 years of age (the average age was 26.2 years old); 49 per cent of returning Egyptians had completed either secondary or technical education, which was the largest educational cohort in the study; 9 per cent had received a university degree; and 27 per cent identified themselves as "literate," defined as "capable of reading and writing without further education". The survey found that, while they were in Libya, 37 per cent of Egyptian migrants worked in construction, 19 per cent worked in agriculture and fishing, 13.5 per cent worked in industry, and 13 per cent worked in trade. A majority of Egyptian returnees (44%) identified themselves as "workers" during their stay in Libya (i.e. in an unskilled job), 16 per cent self-identified as farmers, and 12 per cent self-identified as technicians. The vast majority (93.7%) also sent remittances home and 77.8 per cent reported being the sole breadwinner for their respective families. It was found that 75 per cent of respondents intended to remain in Egypt, 13 per cent hoped to return to Libya and 12 per cent intended to leave Egypt. Finally, 63.7 per cent of Egyptian migrants stated that they wanted assistance to start their own business or to find a job.

Tunisia

Tunisia has been the largest recipient of migrants fleeing Libya, accounting for 43 per cent of the total number. Due to Tunisia's proximity to Tripoli and other major Libyan cities, Tunisians and other migrants flocked to the main border points of Ras Adjir and Dehiba. In total, from the beginning of the crisis until January 2012, almost 137,000 Tunisians and 208,489 TCNs fled Libya through the Tunisian border.

The first three months of the crisis witnessed massive cross-border movements, reaching a peak at 7,000 arrivals on 7 March 2011. During this time, camps set up at the border accommodated up to 20,000 TCNs. At the beginning of the crisis, flows of TCNs were mainly composed of single young men who had lost their jobs when the conflict started to paralyse the country. In June, flows decreased by two thirds (1,795 people per day, on average), reaching a low of 144 people on 28 August 2011. However, although the numbers have decreased, there has been an increase in the vulnerability of the TCNs, with more medical conditions and emotionally distressed persons, vulnerable families, and unaccompanied minors (UAM), thus requiring an adjustment of operations on the ground to provide adequate support and protection for these cases.

Algeria

Since 24 February 2011, Algeria has also witnessed cross-border movement through the 1,000 km-long border with Libya. The composition of the migrants (mainly Egyptians and Asians, during the earliest weeks) changed after the first month to include more Libyans and sub-Saharan Africans. 13,962 persons (made up of 29 different nationalities) left Libya and headed for the Algerian border. Eighty-eight per cent were TCNs, and 12 per cent were Algerians (IOM, 2011d).

Bangladesh

An estimated 36,594 Bangladeshis have returned to Bangladesh since the start of the crisis. At the height of the crisis, there were 15,000 Bangladeshi nationals at the Tunisian border and an additional 8,000 at the Egyptian border. At the time, between 2,500 and 3,500 were being repatriated daily, with IOM support (IOM, 2011e). Reintegration assistance was provided directly to the returnees through an IOM-supported programme funded by a World Bank loan to Bangladesh in 2011.[7]

Sub-Saharan Africa

Sub-Saharan Africans are one of the largest groups of migrant workers affected by the Libya crisis, totalling approximately 212,000 returnees, of whom 130,600 returned by direct border crossings from Libya into Chad and Niger and 81,000 with IOM assistance from neighbouring countries (IOM, 2012). The country statistics for returnees, as of 31 January 2012, are shown in table 3 and map 1.

Table 3: Sub-Saharan migrant workers returning to countries of origin, January 2012

Country of origin	Number of returnees, as of 31 January 2012
Niger	96,231
Chad	84,283
Ghana	11,386
Mali	11,395
Nigeria	3,391
Burkina Faso	1,661
Mauritania	783
Guinea	680
Togo	369
Senegal	406
Other countries in the region	Fewer than 200

Source: IOM Daily Statistical Report, 31 January 2012.
Note: Figures represent both border crossings and air arrivals.

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[7] Although no data are currently available regarding the profile of Bangladeshi retuning migrants, the results of an IOM survey on returnees to Bangladesh are forthcoming.

Map 1: West African returnees from Libya, as of 31 January 2012
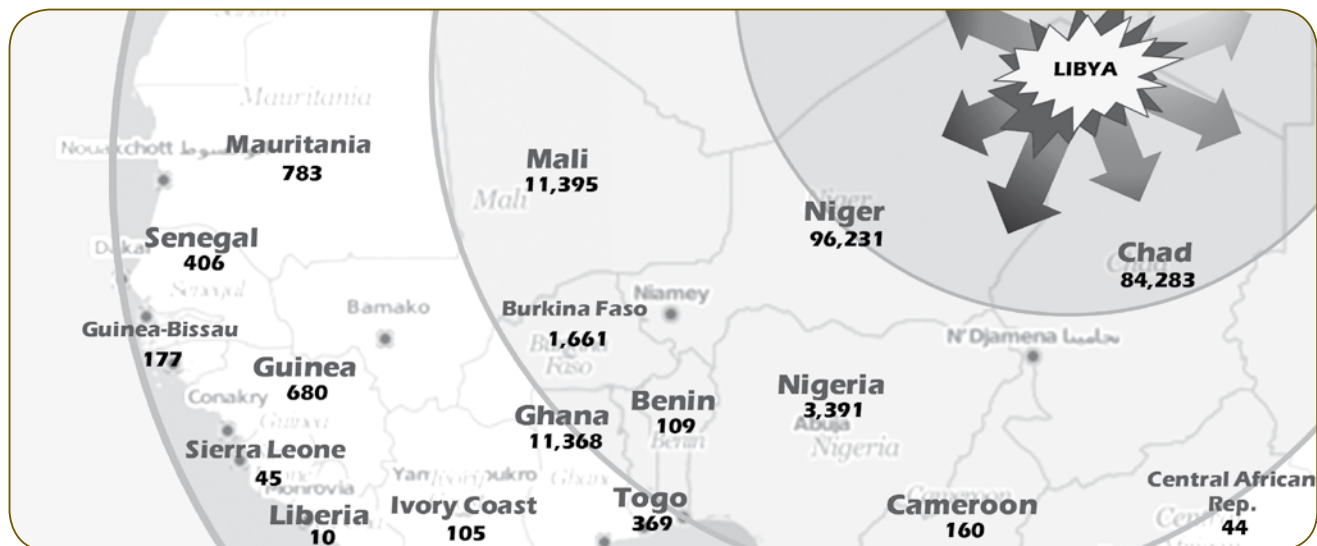
Source: IOM Daily Statistical Report, 31 January 2012
Note: Figures include cross-border movements by air and land.

Surveys of returnees to sub-Saharan Africa revealed a fairly homogenous profile among all of the countries that were sampled: the majority of migrants were male and young (between 20 and 40 years of age) similar to the profile of Egyptian migrants. When compared with Egyptians in Libya, however, sub-Saharan migrants were predominately low-skilled, and often lacked formal education – for example, 62 per cent of Burkina Faso returnees had not received any formal education.

Below are some further breakdowns by country in sub-Saharan Africa.[8]

Chad and Niger

Chad and Niger, situated at the southern border of Libya, share a large stretch of desert with Libya, making any journey across the border a difficult and dangerous endeavour. Despite the harsh conditions, both countries experienced massive influxes of migrants fleeing Libya through these borders. Through direct cross-border movement and repatriation by air, 180,500 Chadian and Nigerien nationals returned from Libya. In addition, close to 7,000 TCNs crossed the southern border of Libya to seek refuge in Chad or Niger before travelling onward to their country of origin. TCNs, mainly from other sub-Saharan African countries, joined truck convoys and were assisted in returning to their countries of origin by air or by land.

Chad

Around 51,000 Chadians and 800 TCNs crossed the southern border of Libya into Chad during the crisis. The first people fleeing Libya through the border were registered at the end of March 2011 – a month after the fighting began. The majority of the returnees arrived in trucks, often in deplorable conditions, after journeys that lasted 15-30 days in the deserts of southern Libya and northern Chad. IOM Chad has provided support to more than 31,000 Chadian returnees who were returned by air from Egypt, Tunisia and Libya (from the southern city of Sebha). The number of arrivals peaked on 13 April 2011, when 2,500 Chadian passengers arrived in N'Djamena over a 15-hour period.

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[8] The following information comes from needs assessments carried out by IOM and its partners in Chad, Burkina Faso, Ghana, Niger, Mali and Senegal.

An IOM survey of returnees to Chad revealed that 81.7 per cent of Chadian returnees were between the ages of 18 and 51, and 81.7 per cent were male. Only 15.2 per cent of returnees had an academic degree or some other official qualification. Returning migrants from Chad were also found to be at a high risk of food insecurity.

Niger

Almost 75,600 Nigeriens have returned home by road through the southern border with Libya. IOM's transit centre in Dirkou,[9] established prior to the crisis to support returning migrants, provided a rest stop for the migrants who were exposed to extremely difficult conditions while crossing the desert on trucks. During the first three months of the crisis, there were up to 2,500 migrants arriving per day. As of June 2011, the flow decreased to an average of 200 arrivals per day and became more irregular, with some days recording no new arrivals.

On the arrival side of the air evacuation from Egypt and Tunisia, the total number of Nigeriens who returned by air to Niamey Airport was 14,954. Fifty-nine per cent of the repatriated migrants were flown from Egypt, 40 per cent from Tunisia and the rest from Algeria, Turkey and Chad. Arrivals at the airport reached their peak in May 2011, when about 6,000 Nigeriens returned in one month; 97 per cent of the returnees were 18–60 years of age, 95 per cent were male, and only 18 per cent had been enrolled in school.

Sudan

To reach Sudan, hundreds of Sudanese migrants crossed from Chad to their homes by their own means. IOM provided ground transportation as far as the Sudanese/Chadian border, and then migrants crossed the Sudanese border independently. According to official figures, 2,800 migrants crossed the border between Libya and Sudan, in addition to those who reached Sudan via Chad, and more than 18,000 Sudanese were directly assisted by air repatriation, primarily from Tunisia.

Arrivals in Italy and Malta

Cross-border arrivals by boat to Italy and Malta represented 3.9 per cent of the overall movement of people fleeing Libya (27,465 persons out of 790,000).[10] Between April and August 2011, IOM registered an increased number of arrivals from Libya to Lampedusa, Italy. This time frame corresponded to a period of further deterioration of the security situation in Libya, which included violence towards migrants. Landings stopped on 17 August as the rebels took control of Tripoli. In total, Lampedusa had received 25,935 persons by the end of September 2011, and Malta has received 1,530 since the beginning of the crisis. The main countries of origin of those fleeing Libya for Italy and Malta are Bangladesh, Burkina Faso, Congo, Côte d'Ivoire, Eritrea, Gambia, Ghana, Guinea, Liberia, Mali, Niger, Nigeria, Pakistan, Senegal, Somalia and Sudan (there are almost no Libyan nationals). The migrants included a limited number of families, minors and women with children, and they routinely arrived on un-seaworthy vessels, often carrying more than 600 people, which led to a number of tragedies at sea.

Although not directly related to the crisis in Libya, Lampedusa also received a large influx of migrants from Tunisia. Almost all Tunisian nationals seeking to reach Europe, 26,354 reached the island of Lampedusa between February and August 2011, which saw the last landing resulting from this crisis.

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[9]   Dirkou, a small town in the north of Niger, is a way point for one of the main Trans-Saharan trade routes towards the Libyan coast. The route is from Niger via Niamey, Agadez, Dirkou and Madama (a military check point on the Niger side of the border) and the first entry point in Libyan territory is Tomou. Further way points in southern Libya are Gatroune, Sebha and Ghat. The journey takes approximately 12 days, covering a distance of approximately 3,000 km.

[10]   In these statistics, only arrivals from Libya are considered, therefore excluding arrivals of Tunisian migrants from the Tunisian shore. IOM monitors in Malta and Italy are also registering and supporting migrants coming from Tunisia.

EVACUATION ASSISTANCE TO MIGRANTS TRAPPED IN LIBYA

As mentioned above, in addition to evacuating TCNs from countries neighbouring Libya, IOM has also been active in facilitating and organizing the evacuation of trapped populations of migrants and vulnerable persons in Libya. IOM was often the first responder to evacuate people in need as soon as security conditions permitted. The evacuation of migrants out of Libya closely followed the evolution of the crisis on the ground. By the end of September 2011, when combat eventually led to the fall of the Gadaffi regime, IOM had completed the evacuation of 40,000 migrants trapped in Misrata, Sebha, Gatroun, Tripoli and Benghazi, through a variety of means of transportation (boat, bus and plane).

The first evacuations took place in early March 2011 from Benghazi, which was the first city to be taken by the rebellion. After a new phase of fighting began in April, IOM resumed its operations in Benghazi, where it established an operational hub for other operations in Eastern Libya. By the end of September, more than 16,300 migrants had been evacuated by bus and 521 by boat from Benghazi to Salloum or Alexandria.

During the siege of Misrata from 23 March to 25 April, IOM sent vessels to assist migrants stranded in the city and in the harbour. After the success of the first mission on 15 April, IOM evacuated a total of 8,432 persons in 15 rescue missions. In addition, IOM also provided evacuation by air for 119 migrants. In July 2011, after obtaining security clearance from all actors involved (including the military in Niger and Libya, rebel forces in Libya, and NATO), IOM was able to reach the cities of Sebha and Gatroun in southern Libya, where it found vulnerable migrants in dire need of humanitarian assistance. From Sebha, IOM organized charter flight evacuations for 1,400 Chadians. In addition, in October 2011, IOM evacuated 1,200 migrants from Sebha via 15 trucks.

While IOM remotely supported consulates in transporting their nationals from Tripoli and surrounding areas to the Tunisian border for onward evacuation, the fall of Tripoli allowed the Organization to urgently evacuate migrants stranded in the port area and to start registering candidates for evacuation to their countries of origin. By the end of September 2011, more than 10,000 migrants had received ground transportation assistance from Tripoli to the Ras Adjir border.

IMPLICATIONS OF RETURNING MIGRANTS FOR COUNTRIES OF ORIGIN AND LIBYA'S POST-CRISIS RECONSTRUCTION

IMPACT ON COUNTRIES OF ORIGIN

The massive numbers of migrants who fled Libya also have an impact on migrants' countries of origin, as well as on transit countries. Although it is still too early to assess the longer-term impact of the crisis, there have been some immediate effects, particularly with regard to the reintegration of the returning populations, and the potential consequences in terms of remittance flows. The size of the remittance outflows from pre-crisis Libya is significant, with outflows from Libya in 2010 totalling nearly USD 1 billion (World Bank, 2011b). Because of the unemployment and poverty crises of many of the migrants' countries of origin, this loss of income could be devastating for migrants' countries of origin. During their time in Libya, 91 per cent of Malian returnees surveyed by IOM reported sending back remittances to their families in Mali (IOM, 2011b). As reported above, the vast majority (93.7%) of Egyptian returnees surveyed by IOM also sent remittances home and 77.8 per cent reported being the sole breadwinner for their respective families (IOM, 2011c). In Tunisia, where the official unemployment rate at 18.57 per cent as of 22 September 2011 (amounting to roughly 700,000 people out of work in a country of 10.5 million), it is likely that the 97,000 Tunisians who fled the violence in Libya now account for a significant percentage of Tunisia's unemployed. Additionally, several of the major home countries of migrants (Burkina Faso, Chad, Mali and Niger) are experiencing severe food crises, and many are politically unstable. The sudden influx of returnees into their native communities may exacerbate these significant challenges, and their return has the potential to further destabilize the tenuous security situations.

The Côte d'Ivoire crisis that spanned 2010–2011, for example, may also contribute to the uncertainty of the situation that returnees (particularly those from sub-Saharan Africa) find themselves in. At the height of the conflict in Côte d'Ivoire, IOM estimated that 450,000 people had been displaced by the violence, and that 200,000–300,000 of these people had been forcibly displaced (IOM, 2011f). In addition to the regionally destabilizing impact of refugees and internally displaced persons, Côte d'Ivoire's economy experienced a 5.8 per cent contraction in 2011, as a result of the crisis (Monnier and Mieu, 2011). Although this figure is lower than predicted, it is nevertheless a significant blow to the second-largest economy in West Africa. Moreover, before the crisis, Côte d'Ivoire relied heavily on migrant workers for the cultivation of its two most important crops – cocoa and coffee (Coulibaly, 2011). Those same migrant workers are, for the most part, choosing not to return to Côte d'Ivoire to work, for fear of continuing violence. This could leave a significant number of people in the region without many options for employment, further contributing to the precarious state of the region's stability. Recently, the coup in Mali (March 2012), which led to the overthrow of President Amadou Toumani Touré by the newly formed National Committee for the Restoration of Democracy and State (CNRDR), has created additional instability in a country where the population already faces food insecurity and unemployment.

In terms of potential for employment for returning migrants, IOM assessments of returnees revealed that the most common labour market sectors for migrants from Burkina Faso, Ghana, Mali and Senegal (the countries where this information was collected) before they left for Libya were agriculture, livestock farming, business, plumbing and construction. Based on these reports, potential areas of employment (for those now facing high levels of unemployment) have been identified. In Chad, business sectors, livestock farming and agriculture are experiencing growth in semi-urban areas and, in urban areas, self-employment and other commercial activities may have potential. In Burkina Faso, returning migrants experience high unemployment, and the few who have found jobs are mainly in the agricultural sector. At the same time, however, certain sectors are enjoying robust growth, providing returning migrants with the opportunity to find work in these areas (assuming there is adequate follow-up and support): rice cultivation, cow, pig and poultry farming, and commercial production of sorghum and other grains. Among Ghanaian and

Malian[11] returnees, similar sectors – such as agriculture, construction and public works (Ghana) and agriculture and livestock farming (Mali) – have been identified as potential areas of employment.

POST-CRISIS RECONSTRUCTION OF LIBYA

Given the reliance of the Libyan economy on migrant workers, the mass outflow of migrants and the internal backlash against migrants still in Libya (particularly those from sub-Saharan Africa) represent two worrying trends, in terms of the future reconstruction of Libya. It has been widely documented that many sub-Saharan migrants who were trapped in Libya during the fighting were being detained by the then opposition forces, who claimed that the migrants were in fact "mercenaries" or "foreign fighters" who were hired by the late Colonel Gaddafi (Kirkpatrick, 2011). Many of these migrants continue to be detained today. They have been imprisoned in appalling conditions, and organizations such as Human Rights Watch have attributed their detention to lingering racism and anti-African sentiment within Libyan society. This kind of sentiment does not bode well for Libya's reconstruction efforts, as roughly

11 per cent of Libya's pre-crisis population was comprised of documented foreign workers – a figure that may be artificially low, since it does not include undocumented workers and reliable statistics are unavailable (CARIM, 2010). Certain sectors of the Libyan economy may be affected more strongly than others: during their stay in Libya, sub-Saharan migrants were primarily employed in construction, according to IOM assessments. In addition, Ghanaians tended to specialize in gypsum-finishing; Chadians and Nigeriens tended to perform gardening and cleaning services; and Malians as well as Nigeriens were generally employed in the agricultural sector. Libya may encounter serious economic and social problems if it cannot attract both skilled and low-skilled migrants to return to help rebuild the country and address anti-migrant sentiment. Nonetheless, news reports from Bangladesh suggest that, since the death of Gaddafi, the Bangladeshi Government has established contacts in Libya in order to facilitate the migration of Bangladeshis back to Libya to aid in reconstruction efforts (Associated Foreign Press, 2011). IOM surveys of returning Egyptians also suggest that 17 per cent of those surveyed wish to migrate back to Libya (IOM, 2011c).

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11   The needs assessment in Mali was carried out in 2011, prior to the coup.

IOM AND THE RESPONSE OF THE INTERNATIONAL COMMUNITY: CHALLENGES AND LESSONS LEARNED

Since its establishment in 1951, IOM has developed a number of operational systems to manage large scale evacuations and gained expertise in assisting migrants, as demonstrated during the Libyan crisis. Other, recent, large-scale evacuation operations led by IOM include the evacuation of 250,000 people during the first Gulf War in 1990; the temporary evacuation of 85,000 Kosovar refugees, as part of the UNSC resolution 1244-administered Kosovo humanitarian airlift to European countries, in 1999; and, more recently, the evacuation of 35,000 foreign workers from Lebanon in 2006. Despite the logistical challenges, IOM has been able to provide assistance to migrants stranded inside Libya and those at the borders because of its historical expertise in movement management and its experienced operational staff on the ground.

IOM's experience in responding to the migration consequences of different crises and, in particular, the Libyan crisis, has highlighted a number of important elements regarding today's humanitarian architecture. From a migration perspective, the Libyan crisis presents a unique situation, for several reasons – not least because Libya is a migrant destination country with a significant migrant population in need of assistance. The complexity of migration in this crisis raises issues with regard to the role of the international community, existing international coordination mechanisms and frameworks, State actors, and the role of international organizations such as IOM. Additionally, the migration consequences of the Libyan crisis highlighted the following challenges faced by the international community in its response, as well as future considerations:

- the need to manage large numbers of migrants who fled the country across the border to neighbouring countries;
- the fact that the crisis did not evolve into a refugee crisis but remained primarily a migration crisis characterized by major cross-border movements of migrants, combined with internal displacement;
- the vulnerable situation of migrants facing life-threatening conditions in Libya, with sub-

Saharan Africans, in particular, targeted for their alleged support to the previous regime;
- the collapse of some sectors of the Libyan economy – both skilled and low-skilled – that were strongly reliant on foreign labour, prior to the crisis (including engineers, doctors, nurses, migrants working in refinery, cleaning services, construction, agriculture, etc.);
- the negative impact of massive returns in countries of origin and, in particular, countries of the Sahel, where large numbers of families were dependent on remittances (especially in those countries suffering from chronic food insecurity);
- the massive returns to Egypt and Tunisia, which pose challenges in terms of reintegration, as both countries are going through a transition phase, following their respective Arab Spring movements;
- the fact that, despite much anticipation around migrants seeking refuge in Europe, it has remained largely unaffected (with the exception of Lampedusa (Italy) and Malta, where large numbers of migrants arrived by boat). Rapid, large-scale evacuations from Libya and neighbouring countries have likely reduced the incentive to flee to Europe.

THE ROLE OF STATES AND IOM'S INTERVENTION

States have the prime responsibility to protect their nationals, even when abroad. In cases of imminent danger or in crisis situations, States can entrust IOM with the operational role of assisting their nationals in need of help, while retaining the overall responsibility. Providing assistance and protection to vulnerable migrants is at the core of IOM's role. Article 1, paragraph b of its Constitution stipulates that the "purposes and functions of the Organization shall be: to concern itself with the organized transfer of refugees, displaced persons and other individuals in need of international migration services for whom

arrangements may be made between the Organization and the States concerned, including those States undertaking to receive them". This mandate has been further reiterated in IOM's Strategy Document (IOM, 2007a) and calls on IOM "to participate in coordinated humanitarian responses and to provide migration services in emergencies or post-crisis situations as appropriate and as relates to the needs of individuals and uprooted communities, thereby contributing to their protection" (ibid.). Because of the migration consequences of the crisis, IOM, in line with its international mandate and upon the request of the transit countries and countries of origin involved, took a leading role in responding to the needs of affected migrants. By the end of February 2011, just days after the crisis began, the Organization had received official notes verbales from 46 governments requesting the assistance of IOM in evacuating their nationals.[12]

With regard to the humanitarian evacuation of migrants, IOM worked closely with partners in each of the countries where it operated, to adapt to the local situation, in order to provide migrants with the most effective assistance. Part of the challenge for IOM and others was assessing the possible number of migrants in need of assistance, due to the limited available data on the actual numbers of migrants in Libya prior to the crisis. State authorities played a significant role in granting access to international organizations and non-governmental organizations (NGOs) – for example, in Tunisia, the authorities addressed the critical humanitarian situation by allowing relief organizations to set up special camps for fleeing migrants at the border near Ras Adjir. This enabled IOM to set up an integrated transportation pipeline, which began at the border where migrants were received. Migrants were then accommodated in temporary camps while their onward transportation was booked. Once transportation had been scheduled, IOM performed the necessary health checks and organized migrants' transport to the airport through to boarding and departure. In countries of origin, IOM country offices helped the authorities to receive evacuated migrants,

providing food and water to the migrants and, in some instances, transport to their final destination within the country. In the temporary camps, a number of organizations (including, inter alia, the Danish Refugee Council (DRC), the International Medical Corp (IMC), Save the Children, the United Nations Population Fund (UNFPA), the United Nations High Commissioner for Refugees (UNHCR), and the United Nations Children's Fund (UNICEF)) were also active.

In the case of Egypt, TCNs remained confined to the border crossing point of Salloum until their case had been processed. This was accomplished through the work of consular authorities in liaison with IOM support. IOM worked closely with consular services to provide travel documents and laissez-passer (LP) to migrants, for those who were not in possession of their papers. The logistics for the evacuation were complicated by the fact that, in order to control entry to their territories, the Egyptian authorities only cleared TCNs with LPs upon confirmation that they had been booked on an IOM-chartered flight. The number of migrants in the no-man's-land at Salloum reached its peak at 5,000 migrants on 7 April 2011. The caseload at the border steadily increased at the beginning of April 2011, due to the limited availability of funding, which delayed departures and further added to the backlog of migrants awaiting transportation assistance as new arrivals continued at a sustained pace. The Egyptian authorities allowed humanitarian organizations (such as the Egyptian Red Crescent, the International Committee of the Red Cross (ICRC), IOM, UNHCR, UNICEF, and the World Food Programme (WFP)) to reach out to this population to provide assistance and protection.

Some country-specific mechanisms were also established or strengthened. These included the Praesidium Project, in Lampedusa, Italy – a partnership between the Italian authorities and Save the Children, UNHCR and IOM to support the reception of migrants reaching the shores of Italy (Lampedusa, in particular). The project was originally conceived to assist 20,000 arrivals per year. By the end of August 2011, it had registered 50,000 arrivals, which meant that the mechanism had to be strengthened to cope with the dramatic influx. In addition, rescue at sea has been a critical form of assistance, saving the lives of migrants and refugees who often fled in unseaworthy and overcrowded vessels. Increased inter-State cooperation

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[12] The leading role of IOM was reiterated in a joint letter sent by the Director General of IOM and the High Commissioner for Refugees to the Membership.

was called for, particularly in terms of burden- and responsibility-sharing.

TIMELY EVACUATION AS A PROTECTION MECHANISM

*"…by providing safe transportation or evacuation in conflict situations and related support,
IOM protects the physical integrity of the beneficiary and contributes to the full realization of the right to leave any country and return to one's country of nationality"*
(IOM, 2007b).

In times of crisis, the only safe option for civilians – including non-national civilians – is for them to be evacuated from the zone affected by conflict, in full respect of international humanitarian law and human rights. Evacuation poses significant challenges, however, and requires tremendous effort on the part of the numerous actors involved. First and foremost, evacuation limits the time that displaced persons have to spend in camp-like situations. In line with camp management principles, camps should only be a last resort when no other options are available, and when they can facilitate the protection and provision of assistance to displaced persons. Thanks to IOM's intervention, migrants fleeing Libya only had to spend 3–5 days, on average, in transit camps, which reduced their exposure to risks inherently associated with life in camps. A migration crisis therefore differs from a refugee crisis or internal displacement, as there are often no obvious immediate solutions for the latter, in terms of relocation. Refugees often find themselves in camp-like situations or with host communities until durable solutions to their displacement can be implemented. In addition, the international community has mandated UNHCR to provide humanitarian assistance to refugees when they are displaced and to fill the protection gap created by the State through their forced displacement.

Timely intervention has also reduced the incentive for some groups of migrants and/or individuals (in the case of Tunisia) to remain in border areas, waiting for the situation in Libya to improve before returning and,

in some instances, to apply for asylum to UNHCR.[13] Eleven thousand refugees who lived in Libya before the crisis also had to flee across the border to find shelter. They remain in need of durable solutions, including resettlement options in receiving countries (in accordance with the principle of burden-sharing between countries of first settlement, i.e. often developed countries and countries neighbouring a conflict).

Mass evacuation also helps to prevent the creation of large camps that can burden receiving communities and lead to resentment and open rejection of the migrants there. In Tunisia, where transit camps were set up to facilitate the provision of assistance to migrants, the local community was heavily involved. Initially, local organizations were the first providers of food and shelter, showing solidarity with the migrants. However, as the situation in Libya continued to deteriorate, and migrants continued to arrive in transit camps weeks after the crisis began, tension started to mount, with some local communities erecting road blockades. In some instances, they requested closure of the camps or some benefits in terms of employment or assistance from humanitarian organizations. They also accused migrants of creating security problems. Involvement of the local communities (such as hiring local staff for humanitarian operations, seeking support from local producers, etc.) has been crucial to mitigating the potential negative impacts of the presence of stranded migrant populations.

Timely evacuation helped prevent such problems from escalating out of hand and potentially affecting the migrant population and the local community. Eventually, if left unchecked, these problems could have generated instability in the border area. Mass evacuation has also undoubtedly reduced incentives for migrants to seek other ways out of Libya, either through unchecked points along land borders, or through sea crossings. Such scenarios would have posed a number of challenges to the European Union, as well as to the region at large, at a critical time in Libya's transition towards new leadership. The response to the crisis has

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[13] Since the beginning of March, UNHCR has registered 4,282 new refugees and asylum seekers.

highlighted the fact that, when viable, evacuation is the best protection mechanism for migrants caught in crisis situations who can find shelter back home with their families and communities. However, it is important to bear in mind that there are instances when returning home is not feasible for practical reasons or due to protection (non-refoulement) issues, and countries of origin may face considerable reintegration challenges.

SECURITY AND HUMANITARIAN ACCESS

International migrants fleeing Libya have required more support and resources than internally displaced persons. However, the difficulty in accessing the territory of Libya, due to security reasons, limited the number of humanitarian actors willing and able to intervene. This resulted in efforts being focused on border areas, where needs were equally pressing. Apart from a few organizations, such as ICRC, the Libyan Red Crescent (LRC) and a handful of international NGOs such as Médecins Sans Frontières, the security context, combined with opposition from the former regime to allowing access to humanitarian actors, limited the international community's capacity to assess the assistance and protection needs of the affected populations within Libya. The United Nations Country Team had to be evacuated from Libya at the end of February 2011, and it only returned in September of the same year.[14] In the western part of the country, around Tripoli, United Nations (UN) organizations were only allowed limited and controlled access to conduct needs assessments, after lengthy negotiations with the former regime. The full operational capability of UN organizations could not be deployed, in this context. In the eastern part of the country, the situation in rebel-controlled areas allowed for better access and for humanitarian actors to set up operational hubs in Benghazi. For instance, a number of organizations conducted their rescue operations in the besieged city of Misrata from Benghazi. In southern Libya, it
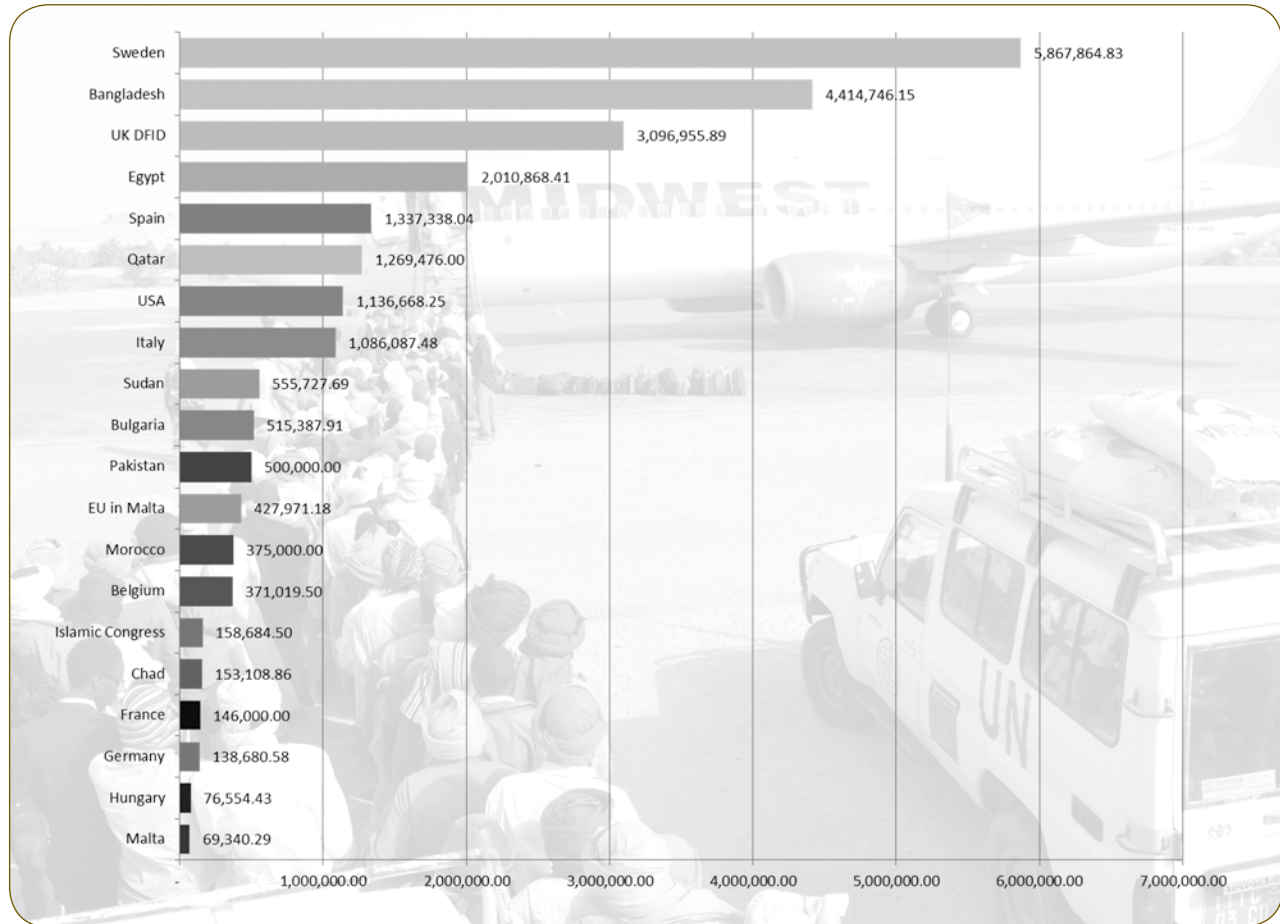
took weeks of negotiation to obtain the necessary clearance from all relevant parties, including the pro- and anti-Gaddafi forces, NATO, and the authorities of neighbouring Niger, due to the security concerns around the border area. IOM was finally able to gain access to the cities of Sebha and Gatroun in July 2011, to assess the needs of trapped populations of migrants who were attempting to flee the country via desert roads.

The ability of the humanitarian cluster system under the umbrella of the United Nations Office of the Coordinator of Humanitarian Affairs (OCHA), designed to provide assistance and protection to affected populations (including internally displaced persons), was thus hampered by the lack of access to affected populations in this conflict situation. The security situation forced the UN to impose strict rules for organizations operating under the UN security system, which led to a risk-adverse context. Decisions often implied a trade-off between assisting populations caught in life-threatening situations, and the necessity to not expose humanitarian personnel to undue risks. The issue of security and humanitarian access is highly complex and is periodically being debated at the highest levels of the Inter-Agency Standing Committee (IASC).

IMPORTANCE OF OPERATIONAL AND COORDINATION SUPPORT

With the support of IOM, States' responses to the crisis took place within a wider global operational mechanism. At the beginning of March 2011, IOM and the UNHCR joined forces to coordinate evacuation efforts and set up the Humanitarian Evacuation Cell (HEC) at the headquarters level. The majority of migrants were assisted between February and June 2011, at the height of the crisis. In the months that followed, IOM retained its operational capacity to evacuate the continuous outflows of migrants, although levels were significantly lower than earlier in the year. The HEC supported, among other things, the coordination of assets received, and in-kind contributions from 19 countries for the international evacuation of migrants totalling an estimated USD 23 million (see figure 1).

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[14] As the conflict deteriorated in early 2011, a decision was made by the agencies (including IOM), through the UN Country Team meeting in Tripoli, that it was no longer safe to continue working there. Although UN assessment teams could periodically visit Tripoli, it was not until September that agencies were officially allowed (by the UN Country Team) to restart operations.

Figure 1: In-kind contributions received from donor countries

Country	Amount
Sweden	5,867,864.83
Bangladesh	4,414,746.15
UK DFID	3,096,955.89
Egypt	2,010,868.41
Spain	1,337,338.04
Qatar	1,269,476.00
USA	1,136,668.25
Italy	1,086,087.48
Sudan	555,727.69
Bulgaria	515,387.91
Pakistan	500,000.00
EU in Malta	427,971.18
Morocco	375,000.00
Belgium	371,019.50
Islamic Congress	158,684.50
Chad	153,108.86
France	146,000.00
Germany	138,680.58
Hungary	76,554.43
Malta	69,340.29

Source: Humanitarian Emergency Response to the Libyan Crisis. Seven-month report on IOM's response, 2011a.
Note: UK DFID refers to the Department for International Development, in the United Kingdom.

The HEC benefited from the support of the EU Monitoring and Information Centre (MIC), at the heart of the Community Mechanism for Civil Protection,[15] which assisted in transmitting requests for assets and in collecting offers from EU Member States. As part of its efforts to uphold humanitarian principles and to minimize the risk of jeopardizing its operations by compromising its neutrality, the HEC also developed a position under OCHA policy guidelines on the use of civil military assets that prevented the utilization of military assets, except in extreme circumstances.

In transit countries and in Libya, IOM has supported coordination efforts under the UN umbrella for organizations present on the ground. Under OCHA's lead role in humanitarian coordination and through its interface, IOM has been providing key operational information on the flows of migrants and their evacuation plans, as well as on its humanitarian activities. This information has also been shared widely with a range of partners, including, inter alia, FRONTEX, in order to support their efforts to analyse the impacts of the crisis on border management and patterns of migration across the Mediterranean zone.

Thus, the response to the migration consequences of the crisis rapidly turned into a global operation that involved several international organizations, NGOs and more than 16 countries, including the transit and home

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[15]   For more information, please see http://ec.europa.eu/echo/civil_ protection/civil/prote/mic.htm

countries of the migrants fleeing Libya.[16] Coordinating the aforementioned support to returning migrants with relevant authorities and local organizations rapidly became a central component of the response. The various actors involved included the following:

- Consular authorities from numerous countries in Africa and Asia with or without a presence in Libya and transit countries. Concerned States without a presence had to send consuls or mandates officers, sometimes with IOM support, in order to provide laissez-passer to their stranded nationals. Further coordination upon arrival in countries of origin was required with the relevant administrations to duly register returnees.

- Military and customs authorities at border points, as they controlled entry into their territory, but also provided security at transit camps. In some instances, such as in Niger, they also provided military escort for convoys crossing sensitive zones. IOM interfaced with NATO to obtain security clearance for its humanitarian operations in Libya under the no-fly zone, which proved essential for the rescue of migrants from Misrata and Sebha.

PRIORITIZATION OF RESOURCES

The need to maximize the use of the limited resources posed a significant challenge throughout the Libyan crisis, requiring a flexible system that could adapt to each local context – for example, barren conditions and remoteness in Chad and Niger, and overloaded transit camps in Tunisia. A high degree of flexibility was also required, in terms of financial, human and material resources, to meet these challenges in a cost-effective manner, while maintaining high standards of accountability. Given the complexity and ever-changing nature of this type of crisis, such challenges are best addressed by institutions that are regularly involved in this kind of work.

Effective humanitarian responses require the quick mobilization of financial, human and material resources to sustain the massive evacuations of migrants to their countries of origin. The revised joint appeal made by humanitarian organizations in April 2011 highlights this point: more than 50 per cent of the overall appeal for USD 333 million was earmarked for supporting the evacuation operation. By November 2011, IOM had received USD 111 million from donors and USD 23 million in in-kind donations.

However, the lack of immediately available financial resources at any given time during the emergency response phase slowed down the evacuations. At the height of the evacuation operations, up to USD 3–4 million were required per day to charter enough planes to destinations as far away as Bangladesh or Viet Nam. If no cash is available, in such situations, IOM has no option but to wait for donors to provide the funds. Consequently, IOM Member States supported the Organization in its creation of a Migration Emergency Funding Mechanism to cover the cost of international transport for migrants affected by emergencies.[17] The purpose of the fund is to bridge the gap between an emergency occurring and donor funding being received so that the situation on the ground can be rapidly assessed and initial assistance provided with minimal delay. This mechanism will be relevant in addressing future emergency contexts and could, for instance, have been activated in response to migration crises in Côte d'Ivoire (in 2002 and 2010–11), in Lebanon (in 2006) and in Yemen (in 2010–11).

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[16] As part of the coordination support, the following IOM country offices were involved: Algeria, Bangladesh, Burkina Faso, Chad, Ghana, Egypt, Italy, Libya, Mali, Malta, Niger, Senegal, Sudan, Tunisia, Turkey and Viet Nam.

[17] IOM's Council adopted Resolution No. 1229 of 5 December 2011, approving the establishment of the Migration Emergency Funding Mechanism.

CONCLUSIONS AND LOOKING AHEAD

When countries of destination experience crises, turmoil and war, it is increasingly common for migrants to be caught between the front lines, often with little or no means of escaping the situation and ensuring their own safety. These vulnerabilities are exacerbated when migrants are in the country of destination in an irregular situation and when the home country lacks the capacity to effectively protect and assist its nationals abroad. To make matters more complex, migrants may be forced to cross borders into neighbouring countries to evade life-threatening situations. Thus, repercussions may be felt throughout entire regions, particularly in border areas and neighbouring States, while migrants sometimes find themselves entering adjacent countries without permission. Moreover, the consequences of such situations can outlast the original crisis – especially for home countries, as they experience sudden and large-scale returns, or when vital tasks in the country of destination are left unattended, due to the departure of migrant workers.

It has been generally acknowledged that universal trends in global mobility and urbanization will increasingly heighten the magnitude and complexity of population movements in the event of humanitarian crises, as clearly seen in the case of Libya. IOM has highlighted the fact that humanitarian crises are increasingly producing forced, chaotic and irregular patterns of migration that often do not exhibit the characteristics of a purely refugee-type or internal displacement situation. Whether forced migration is internal or across borders, affected States often struggle to deploy rapid, appropriate and harmonized responses that can keep pace with the evolving dynamics of crisis-related movements and their long-term implications. IOM considers that, from the standpoint of migration crisis management, current approaches can be strengthened with newly defined operational tools and institutional arrangements focused on the processes and conditions driving forced migration. Therefore, IOM's assessment of the international response to the Libyan crisis is that, although it was successful, there is an opportunity to develop a stronger institutional framework for ensuring greater predictability, efficiency and coordination in the international community's response to crises of such a scale. Some of the identified challenges, such as resource mobilization, have been addressed proactively by States who formally endorsed the creation of an emergency funding mechanism – the Migration Emergency Funding Mechanism – last December at IOM's 100th Council meeting.

Although the situation in Libya is still evolving after the downfall of the Gaddafi regime, several conclusions can be drawn about the migration consequences of the crisis, in addition to future policy considerations related to the protection and rights of migrants caught in crisis, Libya's post-crisis reconstruction efforts, and development, migration management and security in Libya and the region.

ADDRESSING THE RIGHTS OF MIGRANTS CAUGHT IN CRISIS

The challenges posed by the mass exodus of migrants from Libya demonstrated the complexity of migration crises and, in particular, in addressing the rights of migrants caught in crisis. Migrants fleeing violence in their host countries do not qualify for protection under the 1951 Refugee Convention. Likewise, the Guiding Principles on Internally Displaced Persons do not specifically take into account the situation of migrant workers. In a humanitarian crisis, human rights law continues to apply and may also protect migrants and, in the case of an armed conflict, the rules of international humanitarian law (IHL) on protection of the civilian population will also apply to migrants. For example, in times of international and non-international armed conflict, some provisions of the 1949 Geneva Conventions and their 1977 Protocols are of particular relevance to non-nationals. These provisions cover the right of migrants to leave, prohibition of forced transfers, and procedures for departure if national security allows for non-nationals to leave. Furthermore, the principle of distinction between civilians and combatants, which is at the core of IHL, is also equally applicable to the protection of the non-national civilian population.

A particularity of the migrant population in a crisis situation is that their State of origin continues to have the prime responsibility for the protection of their nationals abroad and those returning from abroad. IOM's mandate and role in the crisis allowed it to offer assistance and protection to those who may not have otherwise received it. Nonetheless, there is no international legal framework that fully addresses this gap. As the leading migration agency, IOM is uniquely equipped to respond to these types of crises.

THE RECONSTRUCTION OF LIBYA

As almost 11 per cent of the Libyan population, pre-crisis, was composed of foreigners, it is clear that migration will play a significant role in Libya's reconstruction efforts. Migrant workers historically used to take jobs that native Libyans did not want, especially in construction, oil production, and agriculture. It will be particularly important for Libya to attract a wide range of migrant workers back to support its oil production and its construction sector, in addition to filling positions in highly skilled sectors such as health and engineering, which were also affected by the crisis and the mass exodus of migrant workers. However, the challenge of attracting migrants (particularly sub-Saharan Africans, who comprised the largest share of migrants in Libya, pre-crisis) back to Libya is a formidable one, given the levels of continued hostility towards them. Efforts will need to be made by the current government to combat anti-migrant sentiment and to uphold its obligations under the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which was ratified by Libya in 2004. Assessing current labour market needs, shortages and opportunities for renewed labour cooperation with countries of origin will be crucial for facilitating migration back to Libya. Furthermore, such assessments, in addition to the systematic collection of data on migration, will help in formulating evidence-based policies in the future.

NEEDS OF RETURNING MIGRANTS, CAPACITY OF COUNTRIES OF ORIGIN AND NEW MIGRATION OPPORTUNITIES

The influx of returning migrants could have negative impacts on the development of migrants' countries of origin, since almost all migrants were sending remittances back home. In 2010, those remittances totalled close to USD 1 billion. Now, back home, many are unemployed and facing other reintegration challenges, such as finding food and shelter, and obtaining psychosocial support. In West and Central Africa, other returning migrants are also facing nation-wide food insecurity.

Given the situation of returnees, further migration is a viable adaptation strategy for many. Provided the current government were amenable, migrants could return to Libya, to aid in reconstruction efforts (as indicated by data derived from several surveys of returning migrants), or even to other countries of destination, which could lead to a shift in migration patterns in the region and beyond. For example, increased segmentation in the labour market of countries in North Africa could increase the scope for future migration flows to meet labour market demands. If measures are not taken to facilitate regular migration through bilateral agreements or organized labour schemes, however, the region may witness increased outflows of irregular migrants in search of better economic opportunities.

The crisis in Libya further highlighted the fact that countries of origin were ill prepared to reintegrate their own nationals, due to existing conditions (particularly unemployment) at home. In addition, data disaggregated by nationality were not available – not only in Libya but in most countries of origin, which were unable to provide accurate figures on their nationals in Libya. This lack of data posed a challenge in terms of assessing the evacuation and return needs of migrants. Building the capacity of countries of origin to systematically collect and analyse data on their nationals abroad is one way of addressing this.

REGIONAL SECURITY AND MIGRATION MANAGEMENT IN THE REGION

The crisis in Libya poses other security challenges for the region as it is compounded by the effects of food insecurity and the continued regional fallout of the crisis in Côte d'Ivoire and, most recently, the political coup in Mali. In addition, for many years, Libya had hosted Tuareg rebels (numbers unconfirmed) who were fighting in Mali and Niger. Some were incorporated into Gaddafi's southern battalions while others reportedly received support from Libya to conduct cross-border operations. The return of armed fighters, mainly in Mali and Niger but also in Chad, is a major security concern for the subregion.

Furthermore, cooperation between Libya and the European Union was a primary focus of the EU's migration policy in the fight against irregular migration along Europe's southern borders. Given Libya's high level of cooperation in this regard, prior to the crisis, questions are now being raised about the extent to which the current regime will continue to cooperate. The situation also raises further questions for the EU, in terms of its migration policies in the region. In particular, the crisis in Libya, as well as the uprisings in other North African States, provides an opportunity for States to analyse the impact and consequences of 'outsourcing' migration regulatory policy to non-EU partners and to examine how the human rights dimension, often sidelined by such policies, can be better integrated.

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