

REFUGEE PROBLEM AS A GLOBAL ISSUE (ON THE EXAMPLE OF LIBYA)

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ABSTRACT

Today, one of the global challenges is the problem of refugees. Due to the events of the "Arab" spring, as well as civil wars in some countries of the Middle East, the world has the largest number of refugees since the Second World War.

This article is devoted to the study of the problem of refugees in Libya. The article analyzes the existing migration problems and the current state of migration policy in the country.

KEY WORDS: migration crisis, refugees, Central Mediterranean Route.

One of the global challenges facing the world community at the beginning of the third millennium is the problem of refugees. According to the "Convention relating to the Status of Refugees" adopted on July 28, 1951, a refugee is any person who, due to well-founded fears of becoming a victim of persecution on the basis of race, religion, citizenship, membership of a particular social group or political opinion, is outside the country of his nationality and cannot benefit from the protection of that country or does not wish to benefit from such protection due to such fears [1].

In the twentieth century the refugee problem became so acute that the international community, represented by the League of Nations and then the United Nations, could no longer ignore it. Thus, the First World War, the period of the thirties and the Second World War gave rise to millions of refugees. From 1919 to 1939, in Europe alone due to numerous wars, violent conflicts and political unrest, more than 5 million people were cut off from their homes. It is worth noting that the largest population displacement in modern history took place during the Second World War and in the first post-war years. It is estimated that in May 1945 there were more than 40 million displaced people in Europe, not counting the Germans who fled the Soviet advance in the east [2]. In addition, there were 11.3 million forced laborers and displaced people in Germany who were once taken to Germany for forced labor [3]. During the war mass movements of people took place outside of Europe. Among them were millions of Chinese displaced in areas of China occupied by Japanese troops. Faced with an acute refugee problem after the First World War the world community for humanitarian reasons began to assume the functions of protecting refugees and providing them with assistance. The issue of refugees has come to be seen as a global problem, a problem that needs to be addressed at the international level. The first concerted international efforts to help refugees began between the First and Second World Wars.

The events of the "Arab Spring" of 2011 in the Middle East led to a massive outflow of refugees and illegal migrants to Europe. This migration crisis, or else it is called the European migration crisis, has already been recognized by the European Commission as the largest since the Second World War. It should be noted that today there are **four routes** along which you can get to Europe. **The first** is the Western Mediterranean. It takes people from North Africa to the Iberian Peninsula. Most of the refugees from Algeria and Morocco go this way, recently a significant number from southern Africa have been added. The final destination becomes Spain, Italy, and France. **The second route** is the Eastern Mediterranean. It is the longest and most dangerous. On it, from Egypt and the countries of the Middle East, through Turkey, Bulgaria and Cyprus, they try to reach Greece by land and sea. From there through the Balkans, Hungary to Austria and Germany. **The**

third route lies across the eastern borders of the EU. From Syria, Afghanistan and Iraq they get to Hungary, Norway, Poland, Romania and Slovakia. **The fourth route** is the Central Mediterranean. On it from North and West Africa, Ethiopia and Somalia, through Libya, they seek to get to Italy or Malta. Such travels are very dangerous. Often, a group that sets off on one of the routes ends up arriving incomplete, since most of them die along the way.

Until recently, sea transportation from Libya to Italy was the preferred route for all migrants and refugees heading to Europe. Thus, in the first six months of 2015, 137 thousand migrants and refugees arrived in Europe via the Mediterranean Sea – 83 % more than in the same period last year, when this number was 75 thousand people. The number of migrants and refugees drowned and missing as a result of shipwrecks in the Mediterranean reached a peak in April 2015 of 1308 people [4].

In total, at the moment according to the official UN website, more than 65 million people around the world have been forced to flee their homes. This is a depressing statistic, which, unfortunately, continues to grow. The main countries that accept refugees are: Germany, which received more than 470 thousand applications from migrants for asylum; Hungary-177 thousand applications; Sweden-162 thousand applications; Italy-80 thousand applications; Austria-69 thousand applications; France-59 thousand applications (data from Eurostat and the agency “Frontex” for 2019). I would like to note that these are only people who have submitted the petition. Do not forget about the huge number of people illegally crossing the border. According to the same source, Greece is the state through which the largest number of illegal migrants passes – 880 thousand people. Next comes Hungary – 763 thousand people and Italy-157 thousand people (data for 2019) [5]. This is due to the corruption component, negligent service and the absence in some places of border posts that would restrain the influx of refugees.

As known, Libya traditionally plays an important transit role in ensuring migration flows from African countries to Europe. The “Arab Spring” in Libya and the subsequent overthrow of the country's leader, Colonel Muammar Gaddafi, who had been in power for over 40 years, led to mass migration of refugees and illegal migrants through Libya and the Mediterranean Sea, not only from the Jamahiriya, but also from Africa.

Shortly before the protest movements and foreign intervention in the country, Gaddafi said that neglecting the stability of Libya would lead to the collapse of peace in the world through instability in the Mediterranean Sea, and that if power in Libya had to end, millions of Africans would flow illegally to Italy, France. “It is our power to block illegal immigration. It is thanks to us that stability reigns in the Mediterranean Sea, along the entire length of 2,000 kilometers along the Libyan coast. We prevent immigration, hold back the development and advancement of “Al Qaeda”, except for those who have already infiltrated (Europe) up to date. Thus, if stability in Libya is to be disrupted, it will immediately have bad consequences for Europe and the Mediterranean. Everyone will be in danger!”- noted the Colonel [5].

Indeed, after the overthrow of Muammar Gaddafi in 2011, Libya has become a transit point through which thousands of African refugees reach Europe. So, since January 2015, the Libyan Coast Guard no longer conducts patrols. Its employees go on operations only when a message is received that a ship with refugees is heading for Lampedusa. The Italian island is only 300 kilometers away. Since the length of the Libyan coast is about 1,800 kilometers, boats with migrants sent by smugglers are difficult to detect. During the reign of Muammar Gaddafi Libya closely co-operated with Europe. The North African country controlled the coast, did not let the refugees out of its territory and sent them to camps. After the overthrow of Gaddafi, the Libyan state is disintegrating before our eyes; various armed groups control large areas of the country.

Smugglers can almost freely send migrants by boat in the direction of Europe. This situation is also beneficial to traffickers, who annually “earn” up to \$ 300 million due to illegal migration from Africa and Asia.

According to statistics from the International Organization for Migration (IOM), as of August 2017, Libya supplied 14% of all migrants to Europe, while being the main channel for migration from North Africa to the European continent (more than 58%). The ethnic composition of migrants traveling from Libya to Europe is diverse: more than 35 nationalities. At the same time, it regularly varied depending on external circumstances. In recent years, most of the migrants following the Libyan route to Europe have come from Nigeria, Gambia and Eritrea. Thus, the number of Nigerian refugees migrating along the Libyan route to Italy increased from 9 thousand in 2014 to 37 thousand people in 2016. First of all, this is due to the sharp exacerbation of the economic situation in the northern regions of Nigeria, where the population has been on the verge of mass starvation since the beginning of 2017.

In general, there is a high dynamics of the growth of flows through the Libyan channel. In a sense, 2017 was a record year: as of the beginning of September, 99 967 migrants arrived in Italy via the so-called central Mediterranean route, that is, via Libya. At the same time, in 2017, almost 14 000 migrants following from Libya were rescued in the Mediterranean Sea as a result of rescue operations, while 2,360 people died [7, 1].

It should be noted that despite the current situation of insecurity, lack of rule of law and loss of financial stability, Libya is still an important transit and destination country for migrants arriving in search of work or trying to reach Europe. In some cases, migrants are left stranded in Libya, caught by the authorities and jailed, or are easy targets for smuggling networks that promise safe passage to desperate people who want to embark on a dangerous sea voyage to Europe or exploited and face human rights violations in Libya.

Another interesting fact is that Libya is still, as in times of economic prosperity, viewed by migrants from Africa as a kind of center of attraction, even if the ultimate goal of reaching Europe is never realized. In addition, various studies show that the majority of migrants (12%) go to Libya to reunite with relatives and families already living there. However, the Libyan reality today seems to have a sobering effect and provokes high mobility: 46% of migrants in Libya today are those who have arrived here in the last 6 months, 42% expressed their intention to migrate further, and 26% are considering returning to their homeland. There are several reasons for this but the most popular is the lack of adequate conditions, including security (43%)[8].

To solve the refugee problem, since 2014, the EU has been implementing a program to support the Libyan security forces to prevent illegal migration in the Mediterranean Sea. Illegal migrants and refugees from ships intercepted by the Libyan Coast Guard are taken to special detention centers on Libyan territory. Within the framework of the same program, European states return migrants who have reached European countries to the war zone in Libya.

In 2015 the larger Operation Sofia began, which included combating illegal migrant carriers and training Libyan Coast Guard personnel. The operation involved ships of the naval forces of the European Union, conducting humanitarian operations in international waters off the coast of Libya. Sailors fought against the smuggling of people and weapons, rescued refugees at sea and trained Libyan coastguards. From 2015 to 2018, about 50 thousand people were rescued [9]. But since March 30, 2019, the term of operation “Sofia” has come to an end, and, starting from this date, it has been terminated. Meanwhile, the Italian government in June 2019 passed a law prohibiting the rescue of migrants in the Mediterranean. The law allows for the confiscation of vessels rescuing migrants in the Mediterranean Sea.

The European Union is planning to launch a new operation in the Mediterranean. Its goal is to implement the embargo imposed by the UN Security Council (on the supply of weapons to Libya). It will include not only maritime assets, but also satellite and air assets. The warship will serve as a base for radar control and airspace control. The air force operation will be conducted on the basis of a mandate that differs in the observation area from "Sofia". The operation "Sofia" covered the entire Libyan coast, now the main focus will be on the eastern part, where the weapons come from, taking into account the routes of the ships delivering them. According to Borrel, the head of EU diplomacy, this decision was made because "the embargo is systematically violated", and as a result, the warring parties in Libya receive significant amounts of weapons, with which it is difficult to achieve a cease-fire [10].

Thus, the refugee problem continues to be a challenge for the international community. While states hosting refugees must continue to fulfill their obligations to ensure their protection and promote a climate of tolerance towards other peoples, states of origin of refugees must prevent acts that lead to mass exodus.

At the same time, the international community must determine the most effective ways to prevent new refugee flows. Such ways include studying the underlying causes of these phenomena and taking measures to improve the situation. If poverty is the main cause of refugee flows, one solution could be to provide development or technical assistance.

If the main reasons for mass exodus are human rights violations, then the solution to the problem can be constant monitoring of developments by the UN human rights bodies, condemnation of violations by the international community, and the appointment of special rapporteurs to study specific situations and make recommendations. If violent conflicts are the cause of refugee flows, solutions can be found in the area of preventive diplomacy, in the promotion of mediation as a means of conflict resolution and also in observing the provisions of humanitarian law.

In conclusion, it should be noted that the congestion of the Libyan migrant traffic from Africa to Europe will only increase in the long term. This factor caused primarily by economic reasons will nevertheless pose a serious threat on the political front. Obviously, it does not seem realistic to solve the problem at the root in order to create a serious financial and economic motivation for the return of migrants to their homeland in the coming years.

Attempts by the Italian authorities to negotiate with Libya on joint patrolling of internal territorial waters in order to control the flow of migrants have also failed so far. In many ways this is hindered by the unstable internal situation inside Libya. In addition, an increase in migration flows to Libya from sub-Saharan countries, primarily Nigeria and Somalia, is also predicted, where the food situation is rapidly deteriorating under the influence of conflicts and climate change, forcing the population to migrate in search of a new source of income.

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