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Cities,
displacement
and stranded
migrants



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Cities, displacement and stranded migrants

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This research programme focuses on a range of issues related to the wellbeing and recognition of people who traverse continents devoid of citizenship. Issues related to refugees remain crucially unanswered in debates and policies surrounding migration. In the wake of acknowledgement within the academy that it is not always possible to isolate refugees from migrants, this programme analyzes a range of contexts where dignity and human rights are compromised through the absence of legal and political recognition. By focusing on situations of extreme vulnerability and on lives lived on the borderline, this research programme seeks to articulate and address urgent needs with regard to the stateless migrants who have entered Europe.

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Summary

This report examines the complex relationship between cities, displacement and stranded migrants, taking as a focus the recent social, political and demographic transformations in North Africa. Specifically it considers the population displacements in and out of Libyan and Tunisian cities during this period, which left many already vulnerable migrants without protection and in a situation of de facto statelessness. This report recommends policy interventions at regional, national and municipal levels that are resilient in times of humanitarian crisis and beyond, given that the region and its cities have long been, and will continue to be, places where diverse flows of migrants, asylum seekers and refugees converge.

Introduction

In a statement made by Antonio Guterrez (2010), the United Nations High Commissioner for Refugees, 'more and more of the people we care for – refugees, returnees, the internally displaced and the stateless – will live in cities and towns and we need to adjust our policies accordingly'. UNHCR issued a new policy on Refugee Protection and Solutions in Urban Areas in 2009, which would address these issues within a wider context of urban poverty and marginalization.

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This shift in focus by UNHCR and other intergovernmental organizations, and the widespread presence of non-governmental organizations in urban areas, has shed further light on the importance of considering the challenges faced by vulnerable migrants in an urban framework. It has been recognized that cities, in theory, hold numerous opportunities for migrants, including access to the labour market, education, healthcare and social networks. In practice, however, there are significant challenges in accessing basic services, particularly if a migrant is without documents. Everyday discrimination and prejudice can also make urban life hostile for vulnerable migrant populations. Examples of urban vulnerability can be found all across the world. Take for instance, stateless¹ Rohingya refugees who find themselves in Southeast Asian cities and experience various forms of exclusion from social and economic life due to their stateless condition, along with the constant threat of detention and deportation². The question of urban vulnerability is also pertinent in the case of Syrian refugees, as recent reports have highlighted that the majority of Syrian refugees in Jordan today live very precariously in cities, rather than in camps (UNHCR, 2014).

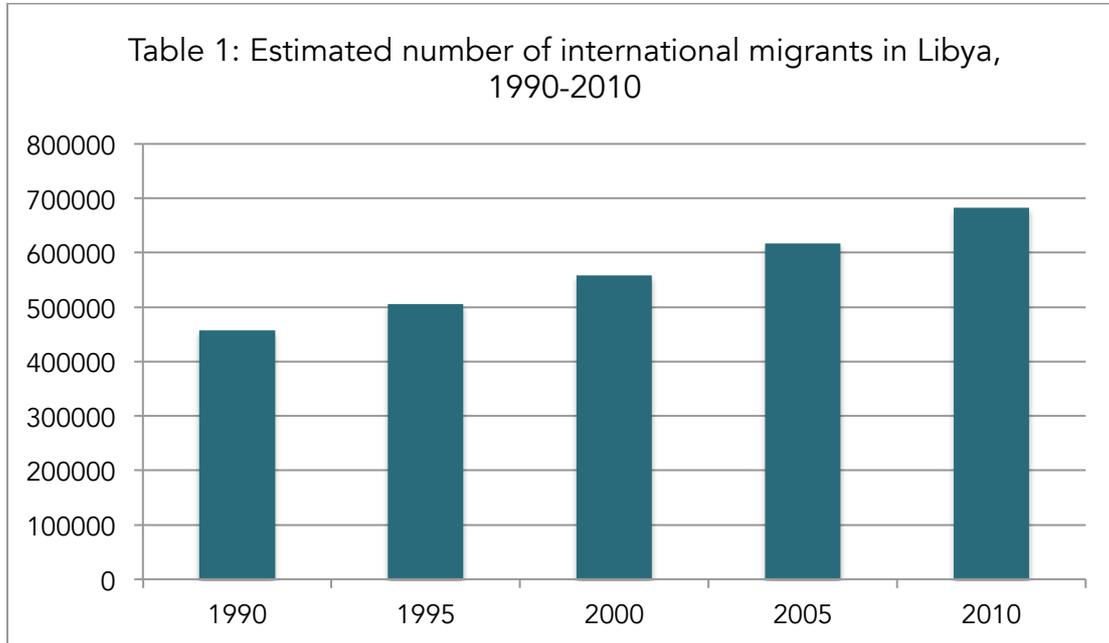
This report will focus on a region which, in recent years, has witnessed social and political transformations which profoundly affected urban migrants, asylum seekers and refugees. With a focus on Libya and Tunisia, it will consider the displacement of hundreds of thousands of people that arose from the political transformations in 2011, as they moved between cities, camps and back to cities. This period also demonstrated how many stranded migrants experienced, in effect, *de facto* statelessness whereby their citizenship proved ineffective, creating a significant humanitarian crisis. The period also revealed how the region's urban areas underwent important transformations as a result of these dynamic population movements in and out. Bearing in mind critiques in the academic literature on the imbalanced attention given to global cities of Europe and North America, it is necessary to broaden our view to consider other kinds of cities, including smaller cities and port towns, which are equally important. Beyond this specific humanitarian crisis, these cities play a crucial role in the North African and Mediterranean region as both destinations, as well as transit points, for diverse migrants, asylum seekers and refugees.

¹ The *de jure* definition of a stateless person put forth in the Statelessness Convention of 1954 is: 'a person who is not considered as a national by any State under the operation of its law'.

² Anthropologist Catherine Allerton (2014) examines the everyday realities of stateless children in Kota Kinabalu, Malaysia, the challenges they might face in accessing education, and how they engage with this experience of exclusion and find alternative spaces to confront the barriers they encounter (Allerton, 2014).

Libya: displacement and stranded migrants

Before 2011, it was estimated that Libya received close to 700,000 migrant workers.



Source: United Nations, Department of Economic and Social Affairs, Population Division (2009). Trends in International Migrant Stock: The 2008 Revision (United Nations database, POP/DB/MIG/Stock/Rev.2008).

Unofficial figures that take into consideration undocumented migrants estimate up to 2 million migrant workers in the years before 2011³. Libya has been an important destination for migrant workers from sub-Saharan African countries and places further afield such as Bangladesh, China and the Philippines. Many migrants were employed in construction and as daily wage workers (DRC, 2013). Libya's port cities have also been spaces of transit for migrants en route to Europe (de Haas, 2007). A report by the Danish Refugee Council based on a large survey of migrants living in Tripoli and Sabha, highlighted a notable mixed migration pattern in Libya, including asylum seekers, stateless persons, refugees and migrants. With little protection and few migration and asylum procedures in place, urban migrants, particularly

³ 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), in oil and construction related work.

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those without documents, have long been vulnerable and subject to detention in Libyan cities (Phillips and Zanfrini, 2014). They have also been found to work in exploitative conditions and to live in unsanitary housing conditions.

In 2011, the Libyan Revolution and the conflict which ensued forced many people, both Libyans and migrants, to flee their Libyan homes. Khalid Koser (2012) has written that:

‘numerically the largest single category of people who have been forced from their homes over the last year during the Arab Spring has been migrant workers – that is people from other countries working (or looking for work) in one of the affected countries’.

In 2011, between March and June, over half a million migrant workers left Libya (Koser, 2012; IOM, 2012; Chetali and Braeunlich, 2013). In particular, black African migrants were subjected to harassment and detention, as many were used under Gaddafi’s regime as mercenary fighters, creating negative, racialised perceptions of these migrants (de Haas, 2011). Although Libyan cities have presented migrants opportunities for work and a better future (albeit not in favourable conditions), they became even more hostile places (UNHCR, n/a). Many migrants had to flee the very places where they had tried to build their livelihoods and social networks.

Fleeing the violence and insecurity took many different forms. Some migrants, for instance, were evacuated from Misrata to Benghazi by IOM-chartered ships; others fled cities for camps or crossed the borders to neighbouring countries⁴, or attempted to flee to Europe by making the notoriously dangerous Mediterranean crossing. Among those displaced, some migrants waited to be evacuated to their home countries and the rest were stranded without protection from their national governments and without travel documents. As the displaced population included asylum seekers and refugees, there was little possibility or will to return to their home countries and to conditions which they had previously fled. The latter case demonstrated the ways in which citizenship can be ineffective, leading to a condition of *de facto* statelessness. As Khalid Koser (2012) points out, ‘the legal status of migrant workers who are subsequently displaced is uncertain’ and a protection gap is evident. It has also been said that this crisis ‘shed new light on the plight of certain migrants in need of international protection, increasingly referred to as “stranded migrants”’ (Chetali and

⁴ In the case of Egyptian migrant workers for instance, this meant going home to Egypt, in some cases through airlifts.

Braeunlich, 2013: 4). IOM commented that the vulnerabilities of being caught up in conflict situations 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'. They additionally point out how the consequences of such events can long outlast the specific crises themselves (IOM, 2012). The social fabric of cities in which migrants previously lived also change in the short and long-term, in light of new fears and insecurities and the exodus of a large part of the population.

The Choucha Transit Camp

One of the camps to which displaced persons from Libya arrived, including third-country nationals of different backgrounds, was the Choucha transit camp run by UNHCR at the Tunisian and Libyan border (Chetali and Braeunlich, 2013). While some of the people in the camp were recognized as refugees and resettled, others found themselves as refugees without the right to resettlement or had their asylum claims rejected.

UNHCR'S initial idea was that those rejected for resettlement in other countries would first try to 'integrate locally' in Tunisian cities. As a UNHCR representative in Tunis said, 'they will receive financial help for moving, and renting flats in urban areas (Zarzis, Ben Gardeme, Medenine), then vocational training will be offered and microcredit for enterprises' (Irin News, 2013).

With this rationale, UNHCR announced in 2013 that it would close the Choucha camp, relocating its work to urban areas in Tunisia. Indeed, cities are widely perceived – for example, by intergovernmental organizations and often by migrants themselves – to be spaces of integration; where numerous and diverse networks converge and where one can access basic rights and services such as health and education. The academic literature has also highlighted how migrants experience and shape urban life in different ways and on different scales (see e.g. Appadurai and Holston, 1996; Glick-Schiller and Caglar, 2011). However, some of those stranded in the Choucha camp denied this proposal for local integration in urban areas, believing that they would be persecuted in Tunisian cities in the absence of a national system of protection for refugees and asylum seekers in Tunisia. The stranded migrants instead wanted to be resettled in a third country. The rejection of urban resettlement in Tunisia highlighted that the mere fact of moving to the city for integration purposes is not sufficient when the legal mechanisms for protection at the national level are lacking.

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Those stranded in the camp went to Tunis, the capital, to protest outside the offices of the UNHCR and the EU Delegation to demand their right to resettlement in the wake of this humanitarian crisis, using social media channels to spread their voices⁵. The demonstrations highlighted the ways in which cities continue to be spaces for activism, political protest, spaces to gain public visibility and to broaden social networks. It is important to point out that the protest about the Choucha camp occurred in the context of the freeing up of civil society organizations and a flourishing of activist movements in the region addressing the question of social justice. In 2013, the World Social Forum⁶ also took place in Tunis, and stranded migrants from the Choucha camp also used this opportunity to come to protest in Tunis. Civil society movements in the North African region will no doubt address the complex phenomenon of migration and displacement in the region in the years to come. Indeed, it is also worth considering the importance of non-institutional expressions of care and interdependency in an urban context. For instance, reports during the humanitarian crisis demonstrated the hospitality offered by Tunisian families to Libyans who had fled when they opened their homes to them to provide shelter (though this was not exclusively in cities, see e.g. Hoffman, 2012).

Transit Cities at Europe's Closed Doors

The period during and after the Libyan Revolution thus saw the emptying of some cities as vulnerable persons fled, while other cities saw new arrivals of persons who had been displaced⁷. Population movements are dynamic, as this region's recent events have so starkly demonstrated. Some migrants, for instance, who fled Libya out of fear of persecution, have since returned in the post-crisis reconstruction period (IOM, 2012), their movements oscillating between voluntary and forced.

The political transformations in the region and the displacement of populations which it induced, highlighted significant challenges in relation to the protection of third country nationals. The question of protection and vulnerability is of further relevance when considering the region's geopolitical

⁵ The protest involved a Facebook page which featured the statement, 'Refugees say no for local integration' and included participants from Somalia, Sudan, Eritrea, Ethiopia and Chad.

⁶ The World Social Forum for Migration arose out of the World Social Forum to specifically address social justice for migrants around the world.

⁷ Some of the more affluent Libyans fled cities in Libya to arrive in the northern coastal cities of Tunisia, for example (Planes-Boissac, 2012).

position as a border zone and a transit area between the Global South and the Global North. Although it has been pointed out that it is a misperception that all migrants in Libya are en route to Europe (DRC, 2013; de Haas, 2007), some migrants nevertheless do have Europe in their aspirations (see e.g. Schapendonk, 2012). In 2011, when migrants were stranded, one option was to attempt the dangerous crossing from North African port towns across the Mediterranean to Southern Europe. At the same time, France and Italy debated introducing new restrictions to the border-free Schengen region, in an attempt to erect even more barriers to migrants arriving from North Africa. Due to already-existing border controls and proposals to tighten them further, the condition of being in transit and in limbo, however, is one that might last for longer than expected for migrants. This was seen in 2009 when the Italian government's 'push back' policy was in force (it has since been suspended), which had the explicit aim of sending back migrants approaching its shores (Human Rights Watch, 2009).

Further policy attention will be necessary in the regions' cities to deal with transit populations, bearing in mind that transit cities can become destination cities. Indeed, most refugees and asylum-seekers in North Africa reside in urban areas (UNHCR, 2014). Will these cities offer any kind of stability for migrants, or will they remain transient, insecure and hostile spaces? Addressing the lived realities of different streams of migrants in urban areas requires cooperation between national and municipal governments, and collaboration between these different levels of government with civil society organizations on the ground. Media attention has focussed on overflowing detention centres in Libyan cities, for instance, and the use of the Tripoli zoo as a detention centre for undocumented migrants and asylum seekers (Guardian, 2011), prolonging legacies of detention from both the pre-crisis and crisis periods that left migrants in vulnerable positions, without documents and protection.

As pointed out by the Danish Refugee Council report:

'most asylum seekers and refugees do not flee their homes with documents such as passports, birth certificates or marriage certificates – even if they had such paperwork in the first place'.

An absence of documents can make it very difficult for asylum seekers to access basic medical care, for instance (DRC, 2013). A lack of protection from embassies and the inabilities of nationals of certain countries to return home will put those in vulnerable situations at greater risk of detention, of having to

take irregular and unsafe migration routes and of being subject to exploitation by human smugglers and human traffickers in the region.

Conclusions and Recommendations

This report has considered some of the forms of displacement which the North African region witnessed in recent years, which led to the increasingly prevalent reality of stranded migrants who are not legally or socially protected. The report has also considered these questions in the context of cities and their transformations. Cities are places where many migrants try to build their livelihoods, or where they may stop en route to other locations. They are also places where vulnerabilities are accentuated, both in times of crises and beyond, causing people to flee. It is important to recognize that population movements are dynamic and this raises the cultural question of how people relate to each other in urban spaces in flux, making it difficult to create a sense of security or identity in such cities where mistrust and fear are the prevailing sentiments. This report has also raised the point that cities in themselves do not guarantee the integration of migrants, as the Choucha camp protests revealed, in the absence of multi-level policies and legislation to protect migrants, asylum seekers and refugees.

This report recommends:

- Joint urban and national level co-ordination with humanitarian agencies to address the vulnerabilities of migrants, asylum seekers and refugees who live in cities, including smaller cities and port towns, without adequate protection.
- A dialogue on how to respond to humanitarian crises which could involve third-country nationals and large-scale population movements in and out of cities, leading to migrants being stranded and the experience of statelessness in the absence of effective protection. This could include participation in international forums such as the Statelessness Forum and the follow-up review to the International Conference on Population and Development (ICPD).
- Strengthening links between government institutions, intergovernmental organizations and civil society movements in the region.
- A paradigm shift which recognizes the interconnectedness of regions and cities on both sides of the Mediterranean.

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Abbreviations

DRC Danish Refugee Council

IOM International Organization for Migration

UNDESA United Nations Department of Economic and Social Affairs

UNHCR United Nations High Commissioner for Refugees

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