

Tunisian Forum for Economic and Social Rights

IN SEARCH OF DIGNITY



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The Situation of Migrants, Refugees and Asylum Seekers in the Region of Medenine

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Introduction

Since the revolution of January 14th 2011, the Governorate of Medenine knew a significant increase of the flow of migrants coming from Libya. This situation became a matter of great interest on both national and international levels in the last few years, especially with the different problems raised by the phenomenon of mixed migration on one hand, and with the pressures exerted by the Europe Union to make of Medenine the biggest refugee camp that ever existed on the other hand. It's true that Tunisia was among the first states to approve the Convention relating to the Status of Refugees of 1951 and its protocol of 1968⁶¹, but the legal framework is ambiguous since the asylum law is still not approved until today, which forced local authorities in Medenine to deal with the situation and accommodate arrivals in cooperation with humanitarian associations with available resources.

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⁶¹ UNHCR, 2004, United Nations Refugee Agency, States Parties to the 1951 Convention relating to the Status of Refugees and/or its 1968 Protocol (as at 31 December 2004), Annex to the 2004 Global Report, p. 499.

The awareness about the problems and difficulties that both the migrants and the region of Medenine face is still limited which is why the migration and asylum situation was considered as “an internal political matter” that the governor of the region and the nongovernmental organizations should deal with, in spite of holding the international community responsible for failing to modernize migration policies following a humanitarian approach. Migrants and refugees are part of the vulnerable population that requires particular attention of the national government and international community and the implementation of a clear plan of action. The region of Medenine drained its efforts during the last few years to accommodate a staggering number of arrivals and to provide them with the necessary services, but these efforts were not sufficient and migrants are still suffering the lack of basic services and needs.

Many questions are raised in this context; *is the region of Medenine still able to assume its responsibility towards refugees, migrants and asylum seekers? Is the crisis in Medenine due to the lack of a true political will or to the shortage of resources? Is there a clear strategy that guarantees minimum rights to decent living conditions and to facilitate local integration for the refugees, migrants and asylum seekers? Is there any urgent procedures that could be taken to speed up the ratification of the refugees law, or has any strategies been implemented to protect the vulnerable category of migrants?*

Based on his experience and knowledge of the Migrants' rights, The Tunisian Forum for Economic and Social Right assigned us to prepare this research paper about the situation of migrants, refugees and asylum seekers in the region of Medenine. The research was edited in October 2019, following a field visit to the area in September 11th and 12th 2019, during which we examined the situation and conducted a qualitative survey with the different parties involved with the arrivals. Interviews were carried out with the governor of Medenine, representatives of humanitarian associations and human rights organizations such as the IOM, the UNHCR, and the Tunisian Council for Refugees, the Red Crescent and the Arab Institute for Human Rights⁶². We also interviewed a number of migrants, refugees and asylum seekers using the Focus Group technique to better understand their situation and know more about their living conditions in the reception centers and with the local community. This work aims to find an answer to the different raised questions and to provide the Tunisian forum for Economic and Social Rights with information about the migration context that is generating a lot of controversy because of the arrivals' suffering and the inability of the region to provide the necessary services despite the involvement of many parties. The collected information is highly important and will be helpful for local and national authorities as well as for national and international civil society organizations, which is why we presented some

⁶²Besides the governor of Medenine, migrants, refugees and asylum seekers, Interviews were carried out with: representatives of the UNHCR (02), a representative of the IOM (01), representatives of the AIHR (02), a representative of the Tunisian council for refugees (01) and representatives of the Red Crescent (03).

recommendations that would support the rights of migrants and contribute in the improvement of their situation and support the region of Medenine to cope with the crisis.

I. THE DYNAMICS OF MIGRATION INTO THE REGION OF MEDENINE

- 1. An increasing number of arrivals: numbers that vary depending on the situation in Libya and a renewed composition of populations’ movements

Table1 : Number of refugees and asylum seekers – statistics of 31st Agust 2019

Country of Origin	Palestine	Somalia	Sudan	Eritrea	Cote d'Ivoire	Syria	Other Nationalities	Total Number
Number	44	146	201	228	333	1190	345	2487
Percentage	%1.8	%5.9	%8.1	%9.2	%13.4	%47.8	13.9%	100%

Source : UNHCR

The United Nations High Commissioner for Refugees (UNHCR) recorded an important increase of the number of refugees and asylum seekers in Tunisia during the last years. According to the statistics of August 2019, the number of arrivals reached 2487 from different Arab and African nationalities. Even though migrants came from different countries such as Palestine, Senegal, Guinea, Cote d’Ivoire, Nigeria and Syria with the highest rate of arrivals reaching 47.8% due to the war and the different crisis suffered by the country, we observed in the recent past years that migration is involving the states of the

Horn of Africa too such as Eritrea, Ethiopia, Somalia, Sudan, the Southern Soudan and Mali which indicates a renewal in the composition of populations' movements which involved diverse nationalities and different age groups from children aged between 15 and 18 to youth and adult men and women. In his statement, the representative of the Arab Institute for Human Rights (South branch) said, quote: "In the beginning of the year 2019, 30 to 40 migrant, refugee and asylum seeker arrived to Medenine monthly, but this number increased by more than 50% to reach 200 people in June 2019⁶³". However, the recorded data showed that there weren't any new arrivals to Medenine during the month of September 2019, which can be explained by the stabilization of the security situation in Libya, which remains the main cause of the increase and decrease in the number of arrivals to the region of Medenine.

In line with the saying of the representative of the International Organization for Migration "who has the statistics owns the information and the field", statistics confirmed the mixed nature of migration to Medenine, combining irregular migrants and asylum seekers. And even though the number of arrivals varies from one zone of the area to another, there's no doubt that the biggest number of migrants is coming through Libyan borders and that there are definitely some serious reasons and motives behind the growth of this phenomenon. Actually the

⁶³ The representative of the Arab Institute for Human Rights, (South Branch), M Mustapha Abdelkabir, gave us in his declaration statistical info and talked about the increasing number of migrants and asylum seekers arriving to Medenine. Ms Nadya Elrayedh, coordinator and director of the technical counseling service talked about the interventions of the AIHR.

migration phenomenon has grown to a level that predicts a serious crisis in this middle income region that doesn't have the necessary and sufficient potential to receive such a high flow of arrivals and to provide for them in accordance with internationally recognized standards.

2. The reasons for arriving to the region of Medenine:

A number of migrants told us that they were heading for Europe but when they crossed Libya and saw the extent of its security crisis, they feared death and sought sanctuary in the South of Tunisia. Some of them confirmed that they are staying in Medenine temporarily until they find a way to cross to a European country where they can finally find a decent living, freedom, urbanization, security, good income and adequate education for their children.

In this context, we quote the testimony of a migrant from Sudan who is living since one month in the accommodation section of the international organization for migration with his wife and four children:

"I fled my country when my father was killed for political motives. My life and my family's life were threatened so I fled to Libya through a trafficking network. In my way I was sold more than once, they took my money and I was treated poorly. I finally arrived to Libya but even with the help of the international organizations the situation was scary. We expected to be shot and killed in every moment of every day so I gave all of what was left of my money to a trafficking network to help me reach the borders. I entered Tunisia and sought asylum. In reality I don't want to stay here, it's not what I am

looking for. I want to work and collect money to cross to Europe where I can live a better”.

There are many stories that are similar to that of this irregular migrant who is currently waiting for approval as a refugee which demonstrate that there are diverse and numerous reasons for migration such as fleeing political and security crisis in the country of origin where there's war, exploitation and violations of political and civil rights or escaping poverty and unemployment driven by the desire of improving the living conditions. According to the representatives of some human rights organizations, reaching the European soil is the ultimate dream and objective of a big number of arrivals, who are doing their best to concretize it and end up sometimes in Medenine, as a transit region.

The Tunisian Forum for Economic and Social Rights conducted some studies in cooperation with specialists in population movement that proved that the orientation of migrants towards Medenine is mainly due to the European Governments' decision (such as the Italian and German governments) to establish refugees' camps in the South of Tunisia and to block the entries Sub-Saharan migrants may try to reach across the Mediterranean to ask for asylum in Europe, in a way that they don't have any choice left except crossing through Libyan borders.

According to the specialist in migration and asylum issues, Doctor Naima Fekih “The protocol against the smuggling of

migrants⁶⁴ contained both preventive and remedial measures in order to deter the smuggling of migrants' crime through strengthening maritime and land borders' control (articles 7 and 11) and through verifying travel and identity documents (articles 12 and 13) and through adopting mechanisms to help the smuggled migrants to get back to their countries of origin (articles 16 and 18). The protocol also stressed on the necessity of fighting the causes leading to irregular migration by promoting developing programs in the countries of origin". The researcher noticed after having examined the content of the protocol text, that there is a paradox between its rules and procedures and what is actually happening. The international community is still adopting until today a security approach to fight the smuggling of migrants without applying any of the set out economic and social solutions that guarantee the right of migrants to a decent life by addressing the root causes of migration, especially poverty and protection in times of distress.

This is reflected in the transformations of the European policies since the year 2017 that became more restrictive and inhuman, operating by blocking the European borders and criminalizing rescue boats⁶⁵ which caused an increase in the number of arrivals to Medenine, the only destination left for migrants to escape dangers.

⁶⁴ Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime 15 November 2000

⁶⁵ D. Naima Fekih, fighting the smuggling of migrants and the right to stay in the country of origin: the protocol against the smuggling of migrants between reality and expectation, migration booklet n1, FTDES May 2019 pp 154 – 165, pp 159 - 160

In light of the above, we conclude that migration constitutes an individual or a family project, governed by a number of expectations and motivated by several factors, to become a choice performed despite all risks. Migration became a whole culture that flourished with the successful experiences of previous migrants and refugees; a dream that passes from one migrant to another and a type of contemporary life investment in spite of the uncertainty of its results.

The presence and increasing arrival of irregular migrants and asylum seekers to Medenine regardless of its motivation, will lead, according to the researcher Hassan Boubakry, to “a new perception of the other in the local social scene”⁶⁶ and “to change perspectives on social issues”⁶⁷. This will raise a number of questions about the services provided for arrivals and the extent of the existing crisis.

II. THE SERVICES PROVIDED FOR MIGRANTS, REFUGEES AND ASYLUM SEEKERS IN MEDENINE: THE DIMENSIONS OF THE CRISIS AND THE AREAS OF GAPS AND DEFICIENCIES

I. The services provided for migrants, refugees and asylum seekers:

Our field study and the different reports issued by the Tunisian Forum for Economic and social rights confirmed that as soon as the migrants and asylum seekers enter the Tunisian borders, local authorities transfer them to one of the humanitarian

⁶⁶Boubakri, Hassan, 2015, « *Migration and asylum in Tunisia since 2011 : towards new migratory figures ?* », REMI : international migration reviews, 31, (3\$4), pp. 17-39, P 24

⁶⁷Bensaad Ali, 2009, « *The Maghreb faces the challenge of sub-Saharan migration. Immigration on migration* », Kharthala edition, P6.

organizations operating in the region. These organizations provide housings⁶⁸ and temporary assistance and support to the arrivals (by land or by sea) until they regulate their situation.

Tunisia didn't adopt the draft of law related to asylum until today. In the absence of a clear legal framework, the UN Refugees Agency in organizing mixed migration in cooperation with its partners by covering the needs of migrants and processing the demands of asylum in accordance with internationally recognized terms. When deciding on a migrant file, three possibilities open up: If there are substantial grounds for requesting asylum, an asylum card can be granted to the migrant, which enables him to get his residence permit and to have the same rights as Tunisian citizens. The second possibility is helping the migrants to return voluntarily to their country of origin. Thirdly, if the migrant doesn't claim asylum and doesn't approve to go back to his country, he is immediately considered as an irregular migrant and he should assume his own responsibility, the UN agency doesn't provide him with any assistance. Despite the cooperative efforts of many humanitarian organizations to provide diverse services for the migrants and asylum seekers, these services remain insufficient and fall short of expectations. The most prominent services provided are:

⁶⁸ There were 4 housings dedicated to shelter migrants, the IOM manages two of them but they closed one (Elhamdi residence) in April 2019 and the other is located in the way leading to Djerba, Medenine. The other two are managed by the UN refugee agency and they are located in Zarzis. These housings are not detention centers, they are residences dedicated for sheltering migrants and asylum seekers temporarily.

- **Residence:** Residence is provided to Migrants, refugees and asylum seekers. We visited the housings dedicated to migrants and managed by the IOM and we describe them as follows: A building of 20 apartments, each apartment is composed of a room, a kitchen, a shower room and a hall. Every room is equipped with a number of beds, furniture and blankets, kitchen utensils and a fan. Every floor of the building is dedicated to a category of migrants: a floor for unaccompanied minors, a floor for families and another for single mothers and their children. Male migrants are accommodated in another residence in Zarzis. There is also a space dedicated for children in a floor supervised by the Red Crescent to provide leisure and education services. The housings are guarded by security agents to protect the residents from any danger.

The period of stay in these residences is limited to 60 days, but it can be extended for humanitarian reasons such as sickness or child birth, etc ...

Some of the interviewed migrants described the living conditions as good⁶⁹ while others pointed out many deficiencies such as the inadequate kitchen space which forces the inhabitants to eat in the living room, the one room apartments that are insufficient to accommodate a whole family and the share of television and refrigerator by a large number of residents, which causes a lot of problems and

⁶⁹ We interviewed a group of migrants, refugees and asylum seekers composed of 14men, 5women and 3 children

disputes (the housing is equipped by 8 televisions and 8 fridges shared by all the inhabitants of the 20 apartments).

- **Personal Hygiene Kit:** When the migrant first arrives to the housing, he is provided with two personal hygiene kits that should cover his needs for two months. Each kit contains a tooth brush and toothpaste, two bath soaps, laundry soap, a bath towel, shampoo, a shaving machine, clippers and lingerie. The value of the kit is estimated at 80 dinars. Many interviewed migrants confirmed that the kit isn't sufficient to cover their needs for a whole month.

- **Healthcare Services:** the representatives of humanitarian organizations assured that the arrivals are provided with healthcare services⁷⁰ and confirmed the presence of health stuff in the housings. There's a doctor and two nurses working in the IOM housing for example. The doctor visits the residence two times a week (Wednesday afternoon and Saturday morning) and when he is called for emergencies, while the nurses are constantly present. Data revealed that the migrants can get their treatment in public hospitals or in clinics (with all expenses covered). Children get their vaccination in time in the national office for family and population and sick migrants are accompanied constantly by health stuff when needed.

⁷⁰During an awareness-raising event that was carried out by IOM for public health staff/south district, held in Douz- Governorate of Kebilli, on 16 November 2018, health staff presented a list of health services available and accessible to migrants that are: the care structures of the first three lines (regional hospitals and teaching hospitals and national public health programs such as the national reproductive health and family planning program, the national vaccination program, school and university medicine, the national tuberculosis control program, the national HIV/AIDS control program.

- **Food:** Every migrant receives a food receipt with a value of 30 dinars weekly that should be totally spent on only one purchase from a commercial space. All the interviewed migrants told us that the amount isn't sufficient to cover their needs which drives them to steal and causes many security issues in the residence.

- **Access to information:** Data confirmed that the migrants are unaware of their rights which put them in a vulnerable situation especially in the absence of translators who can help them express their needs and demands. The suicide attempt of an Eritrean migrant because of the harsh living conditions confirms this problem. The migrant is hospitalized until today in the Hedi Chaker Hospital in Sfax and doctors still can't understand him and help him adequately because of the language barrier. In addition, our field investigation confirmed that children don't enjoy any special or additional services with relation to their rights concretized in the international convention on the rights of the child of 1989⁷¹.

- **Psychological and Social Support:** Representatives of the United Nations High Commissioner for Refugees and the Tunisian council for refugees, confirmed that migrants and asylum seekers are getting the necessary assistance and support to be integrated in the local society. They are followed up by psychiatrists and enrolled in language courses. They also participate in clubs to practice their hobbies (painting for example) and in cultural events in cooperation with local

⁷¹ Tunisian Forum for Economic and Social Rights, Tunis, a report on the situation of migrants in the Red Crescent center in Medenine. P4

institutions such as celebrating the international day of women, the national handcrafts day and the international day of African children. These successful efforts helped in developing the sense of creativity among refugees and asylum seekers. We watched marvelous paintings of a Sudanese refugee who succeeded in catching the attention of many people and of the officials of the UNHCR and participated in changing the perspective of local society towards refugees and migrants. In spite of the diverse provided services, many interviewed migrants expressed their despair and critical psychological situation due to the horrible experience they survived in Libya and to the shortage of psychological, healthcare and financial support.

- **Economic Integration:** the United Nations High Commissioner for Refugees works in cooperation with the Tunisian Council for refugees and the Arab Institute for Human Rights and The Tunisian Association for Management and Social Stability to integrate the refugees in professional life and to help them find opportunities to access employment and to ensure a life of dignity by organizing professional relations, initiating projects for migrants and monitoring refugees to protect their rights. Among the interviewed migrants, a Syrian refugee told us how she was enabled to work in one of the major beauty centers in Sfax. Our conversations with migrants, asylum seekers and refugees have uncovered different realities, all about how difficult it is for migrants to access the labor market, and even when they do, they are always subject to exploitation and abuse. Some have confessed that they have no

idea how to protect their rights or how to facilitate their integration into economic life.

- **Children support:** Humanitarian organizations provide special care for children by creating playground areas for them in the migrants' housings and organizing leisure and cultural activities. They also work on integrating them in educational institutions to pursue their studies; The UNHCR started this experience by enrolling a number of migrants' children in schools in Zarzis in 2018, and since the director of several primary schools showed cooperation the IOM will work this year (2019) on enrolling 17 students with the possibility of providing transport means.

- **Legal services:** The legal assistance unit of the Arab institute was established in 2018 under a UNHCR project to provide legal support and orientation to the refugees and asylum seekers and to help them solve their legal and judicial problems (marriage, children at risk, under – age marriage, employment, cases of exploitation...) as well as represent them and defend them in court. The Arab Institute plays a major role in raising awareness of the migrants about their rights and in developing the capacities of social activists with relation to promoting and defending the rights of migrants and asylum seekers. Despite all these efforts there are many legal gaps that are preventing migrants from obtaining their refugee cards or reintegrating them in a country that guarantees their rights as refugees. According to their representatives, the services of the humanitarian organization provided in cooperation with the local structures of the region of Medenine are mainly related to

rescuing and to emergent situations and are limited according to the available logistical and material potential and resources. These services do not satisfy the migrants, refugees and asylum seekers who describe their situation as miserable. They represent a fragile and vulnerable category that is in need for real assistance and not just some modalities aiming to impress the international community.

2. the dimensions of the crisis and the areas of gaps and deficiencies

Despite the intervention of international organizations in Medenine, there is still an extreme shortage of services. The provided services didn't meet the expectations of migrants who expressed their discontent as follows, *quote*:

"In this housing, they provide us with food, clothing and health care services but we are seriously short of lot of things. The value of the receipts they give us is insufficient and we don't have money to use transport means. Besides, a lot of people share one television and one fridge. The housing's managers are kind and treat us well but we are missing a lot of things and are feeling deprived". (An asylum seeker from Sudan)

"Health care services are bad and we can't pass all the medical tests in public hospitals. We prefer to have money instead of receipt so we can cover our needs easier. Why do we have to buy from one specific market? We're really suffering poverty, hunger and deprivation. Where are our rights?" (An irregular migrant from Nigeria)

“We are being exploited sometimes. We are generally poorly paid and some employers don’t pay us when we finish our works. We don’t feel safe, we are psychologically exhausted. We are human being and we want to guarantee our rights”. (An immigrant from Southern Sudan)

“I can’t do anything without my refugee card. I want to find a job to cover my needs and help my family but as you can see I can’t leave the housing for fear of being caught by the police. I don’t have any document to protect myself”. (An irregular migrant from Southern Sudan)

Some of the interviewed migrants talked to us about the different difficulties they face during their stay in the region such as; the insufficient value of the receipts that doesn’t cover their basic needs, their inability to get a legal job or a decent private home and their irregular situation since they don’t have any legal documents. They also talked about exploitation, racial discrimination, precarious jobs and the inability to contact their families in their country of origin. Some of the migrants described the situation as catastrophic since they feel deprived at different levels.

Protests that coincided with the World Refugee Day in June 19th, 2019 proved that the migrants and asylum seeker are suffering to access their economic and social Rights. Based on field information, these protests aimed to exert pressure on the higher officials of the region to remind them of the tragic situation of the migrants in order to ask the Tunisian Government and international organizations for help and assistance to enable this vulnerable category to access its rights

and to reintegrate asylum seekers in other countries able to guarantee their rights. The representative of the IOM confirmed that the living conditions and services in the migrants' housing are considered good and that they are in line with international standards in terms of the rooms' space, accommodation capacity, the value of receipts and the quality of health, social and legal services... these services are provided in accordance with available resources and they represent, as he explained "emergency services", so the migrants and asylum seekers should accept this reality. From his part, the representative of the UNHCR said that they are trying to readjust the value of the receipt according to market analysis and the provided services are really good.

This inconsistency between the international organizations on one hand and the migrants, refugees and asylum seekers on the other hand proves that the region of Medenine is really facing a big crisis whether it is related to a shortage of the services provided that don't respond to the expectations of arrivals because of the incapacity of international organizations to deal with their huge number or related to the discontent of migrants, expressed loudly so they get reintegrated faster in a European country.

A number of the international organizations' representatives expressed their concern regarding the migrant's attitudes and behaviors which are violating local customs and can expose the arrivals to dangers. According to testimonies, these behaviors include robbery, fraud, alcohol abuse, cohabitation without legal marriage, indecent clothing, begging and exposing

children to dangers (especially Syrian migrants)... In this respect, the representative of the UNHCR in Zarzis told us, *quote*: “For example, we provide different services for Syrian asylum seekers and we try to help them but they never settle down and they keep moving from one governorate to another. They don’t want to work; they prefer begging using their defenseless children and that prevents us from taking care of their children and helping them to continue their education... some of them pretend to be dentists and the problem is that people believe them... many of them got arrested”.

In this respect, the representative of the Arab Institute also said, *quote*: “the Arab Institutes receives a big number of cases transferred from the UNHCR and the Red Crescent. They have many problems and the most prominent are; uncivil unions, polygamy, robbery, crimes etc... we try to offer legal help and assistance by facilitating marriage procedures or contacting their consulates to get access to their legal documents. Sometimes we succeed and sometimes we fail because of the lack of legal documents or the absence of diplomatic representations of some countries, Ethiopia for example, which annuls the marriage... All these problems are the outcome of mixed migration to the region of Medenine”.

According to M. Habib Chawat the governor of Medenine and to the representatives of different international organizations, the unstable situation of many sub Saharan countries and the disturbed situation in Libya will lead to an increase of the migrant flow to Medenine, and the region won’t be able to accommodate any more migrants because of its limited

resources, the gaps in international organizations' interventions and the limited capacity of the refugee housings. This situation is causing a crisis in the region of Medenine and is also aggravating the already difficult situation of the migrants which is leading to inconsistent reactions varying between refusing to accommodate any more migrants as expressed by the governor who is aware of the European intention to transform his region to a huge refugee camp, and accepting to receive arrivals as expressed by the international organizations' representatives who are considering the problem from a purely humanitarian point of view.

The governor of Medenine told us that the region received huge numbers of arrivals just after the revolution. They were provided with the necessary help and assistance in cooperation with local officials and humanitarian organizations and local citizens without even asking for detailed explanations as to why did these people secretly cross the borders: who are they? What are they planning to do? Do they have any criminal records or any political or religious orientations? Despite the serious concerns, the region kept offering help to these migrants until the year 2019, but now that the European intentions are unveiled, it becomes necessary to stop this phenomenon that is threatening the security of the region and the sovereignty of the state⁷².

⁷² The FTDES, the Tunisian Forum for Economic and Social Rights calls upon the upcoming Government to cancel all bilateral conventions signed with the Italian authorities regarding forced deportation of the migrants – article published in September 30, 2019 – link <https://www.akherkhabaronline.com/ar/visited/02/10/2019>

In spite of the humanitarian interventions, the region cannot be considered as safe since the Tunisian legal framework doesn't provide the necessary protection for migrants, refugees and asylum seekers⁷³, and the national and international organizations cannot provide all the necessary services this vulnerable category need. International intentions are the main source of concern according to the governor, and they have been proved lately by the European countries' tendency to impose extortion policies and provide conditional forms of help to Tunisia with the objective to transform it to a big reception and accommodation platform for migrants. The Tunisian Forum for Economic and Social Rights warned about the dangers of such orientations especially in the absence of clear policies and legal framework to protect human rights and specifically the rights of migrants.

III. THE RELATION OF MIGRANTS WITH THE LOCAL COMMUNITY AND THE NATURE OF THEIR EXPECTATIONS:

1. The relation of migrants with the local community and environment:

Our interviews showed that migrants have good relations with the supervising team of the humanitarian organizations' housings thanks to good treatment and the professional management, despite the problems that occur every now and then. In this respect, the representative of the organization told us, *quote*: "there's a mix of nationalities in the housing and every nationality is different. Sudanese are not like Chadians

⁷³ FTDES - Tunisian harbors are not safe for migrants, the European union should assume its responsibility – Article published in September 30, 2019 – link <https://www.ftdes.net/ar/>(visited 02/10/2019)

who are not different from Eritreans and so on... but the problems that are occurring are totally normal; he told me and I told him, he took from me and I took from him... they are mainly of a verbal violence nature or about robbery and are essentially due to the very big number of residents. Sometimes these problems reach the court but mostly they are solved amicably". Data showed that the migrants are separated according to nationalities to avoid problems. A translator is chosen from every group to facilitate communication and he's rewarded with a daily grant. Our tour lasted for two hours during which we didn't see any problems and we noticed comfort and satisfaction when we talked with the residents.

According to the researcher Hassan Boubarkry, the presence of migrants in Tunisia raises a lot of questions about "the possibilities of their integration"⁷⁴ but the field research proved that migrants have good relations with the local inhabitants of Medenine, and that the international organizations are playing a major role in raising awareness among the local community to guarantee the rights and freedoms of the migrants and to facilitate their integration. In this respect, a representative of the IOM told us, *quote*: "There are no major problems. When an asylum seeker first arrives we speak to him about the characteristics of the Tunisian society and we tell him that it is Muslim and conservative and doesn't accept the violations of its customs. We tell him that citizens accept the presence of foreigners but that the migrant should avoid wearing indecent

⁷⁴Boubakri Hassan, 2013, « *Migration in Tunisia after the revolution of 2011* » Mediterranean Confluences, l'Harmattan, N87, pp 31-46, P32.

clothes or a cross for example to avert violence or any other problems". Many interviewed migrants confirmed that the citizens of Medenine are supportive and are aware of the horrible experience and the tragic dangers faced by the migrants in Libya, that's why they try to help them morally and materially and they hire them to work in construction sites and agricultural fields or as housekeepers". The governor of Medenine confirmed that "our people don't bother the migrants. They are free to go wherever they want and we often help them to get jobs despite the fact that we don't know much about them".

Most of the interviewed migrants told us that they weren't subject to any type of harassment. A Nigerian refugee said: "Contrarily to what we here from migrants in other parts of Tunisia, the citizens of this region are respectful and supportive. We are rarely exposed to exploitation or violence or racial segregation. Our problem is not to be comfortable in an environment, it's bigger than that. Our problem is the legalization of our complicated situation and our hard financial and psychological situation. We want to have a refugee card that facilitates our life and to be reintegrated in a European country".

Hence, it is clear that the local environment is rather helping the migrants, refugees and asylum seekers in the integration process and playing an important role in alleviating the impact of the horrors they experienced both in their countries and during their journey across the Libyan territory. The following, is a testimony about the good relations of the migrants with the

local community: “Tunisian population is respectful. We were in hell in Libya, they robbed us and exploited us and beat us. Death followed us wherever we go, but here we feel safe. People are really kind”. (A Sudanese migrant, has been living in Tunisia for a month)

2. Expectations:

The expectations of migrants are different according to the desired destination and services. Based on the interviews, we can summarize the migrants’ expectations as follows:

- Resettlement in a country that accommodates their needs for migrants who don’t want to stay in Tunisia)
- Regulating their situation by having a refugee card for those who want to settle in Tunisia
- Improving the provided services (residence, transport, health care, readjusting the value of food receipts, work...)
- Facilitating their integration in economic life and their access to employment opportunities
 - Repealing financial penalties related to their irregular situation to avoid being forced to commit illegal behaviors (robbery, begging, suicide, irregular immigration...)
 - Raising awareness among citizens about their vulnerable and fragile situation

IV. THE NEED FOR A NATIONAL MIGRATION STRATEGY: IT IS TIME TO IMPLEMENT A STRATEGY BASED ON A HUMANITARIAN APPROACH

The recent events that occurred in the region of Medenine proved the failure of the unclear migration policy adopted by the Tunisian state in responding to the legitimate claims of the

migrants. All the interviewed people confirmed that it is time to implement a national migration policy based on a humanitarian approach that complies with the international human rights requirements⁷⁵ with cooperation with all concerned stakeholders. The governor of Medenine, as the most familiar official with facts and realities, should not only stop accepting more refugees but rather declare his position to the government and ask for urgent and concrete measures to solve the crisis and call upon the government to assume its responsibilities since migration and asylum is a national concern and doesn't only imply the governorate of Medenine. The representatives of humanitarian organizations stressed on the necessity to treat the arrivals well, based on a humanitarian approach, and highlighted that they never should be expelled as set out in chapter 33 of the first part of Geneva Convention⁷⁶. They suggest using this phenomenon in favor of the region of Medenine by pressuring the international organization to develop the capacities of the local structures in order to improve the services provided for migrants and for citizens as well.

Instead of fearing the migrants' orientations for security concerns, it is better to admit that they represent a solution to the shortage of work force in the region. In addition, it is

⁷⁵ Mahdi Aliwa, John Noel Ferry, Helmond Refield "The new Moroccan migration policy " Rabat Konrad-Adenauer-Stiftung

⁷⁶ Article 33 of the 1st part of Geneva convention of the year 1951 "No Contracting State shall expel or return (" refouler ") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion."

important to find social and economic solutions in order to promote the capacities of the region and to support its role in helping vulnerable categories. One of these solutions is to establish a security and health care unit on the border crossing point in order to register the arrivals and to make sure that they won't harm the citizens in any possible way.

The representative of the IOM said, *quote*: "Medenine is a border area, and we should be smart and wise when dealing with the phenomenon of migration and with the increasing flows of arrivals. That could be managed for example, by developing an electronic application used by the border police to register arrivals and collect all information moment to moment". This will help in developing a data base that could help the region to update information related to the phenomenon of migration through exact statistics and indicators, which will help it later to call upon the government to assume its responsibilities in governing the flows and to claim the establishment of a committee in every governorate composed of different structures and ministries. The committee should meet at least once a month to monitor the situation and plan actions and should contribute to the assistance of migrants by appointing agents from different specialties to work in the housings and by drafting evaluation reports in order to improve the services provided for the arrivals without shifting all the responsibility on the governor of the area. Thus, migration should rather be a national concern and a collective responsibility in order for decisions and interventions to be more efficient.

One of the interviewed representatives of an international organization said, *quote*: “The governor is refusing to accommodate arrivals for security concerns and is talking about a crisis, but we think that we can manage the high flow of arrivals with the available capacities. There’s nothing dangerous such as major epidemics or plague, everything is under control and we can solve their problems the way we do with every Tunisian citizen”.

Tunisia has two options; either to accept accommodating migrants and refugees and work on approving the refugees law to protect their rights (despite that this law isn’t in favor of Tunisia, the country with a low economic level that won’t be able to deal with an extra burden), or to declare officially that it doesn’t approve to open its borders especially that the European intentions are very clear, and thus, the state should cancel all bilateral conventions signed with European countries with relation to mass deportation of migrants.

The state should deal with the increasing flows of migrants and respect the human rights in accordance with international conventions, by establishing a new inclusive policy of migration and asylum, based on a humanitarian approach respectful of migrants’ rights, our countries’ international obligations and national sovereignty. All the structures of the state, ministries and civil society organizations should cooperate to manage this phenomenon in order to avoid any strategic or human disasters through good governance and pursuing procedures to approve the asylum law to regulate the situation of irregular migrants and asylum seekers. They also have to improve the mechanisms

of obtaining the right to asylum and to establish a monitoring unit on border crossing points and an assistance unit directed by regional and international cells to deal with phenomenon efficiently.

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