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Libyan minority rights at a crossroads

Since Muammar Gaddafi's fall seven months ago, Libya's non-Arab minorities, including an estimated 250,000 Tuaregs, have begun more vehemently to insist on their rights.

"Gaddafi's policy was 'keep your dog hungry so that he follows you'," said one Tuareg activist, al-Hafiz Mohamed Sheikh. "This means keeping people in need. With Tuaregs, he said many times that we would have our rights, but he never fulfilled his promises. Sometimes he would favour some individuals, but not whole communities."

Flying over the ramshackle houses in Tayuri settlement in Libya's southwestern city of Sebha are the blue, green and yellow flags of the Imazighen (non-Arab minorities). During Gaddafi's time, the Imazighen, including the Tuaregs, experienced cultural and political marginalization, with the regime instituting an all-encompassing pan-Arabic ideology and refusing to recognize them as a distinct ethnic group indigenous to the country and the region.

Since Gaddafi's fall, nine new local associations have emerged in Tayuri promoting the rights of Tuaregs.

According to the [International Crisis Group](#), the Arabization of Imazighen communities, "advanced more rapidly and completely in Libya than in any other Maghreb country".

Law 24 forbids the Imazighen, including Tuaregs, from giving their children non-Arab names, and those who attended cultural celebrations in neighbouring countries were arrested upon their return to Libya.

While Gaddafi absorbed a large number of Tuaregs into his army and is said to have used a number of them as mercenaries during the uprising, many suffered from the same historic marginalization as other minority groups.

Nine-tenths of Libyans live along the Mediterranean coast, and many see non-Arab southerners as belonging more to "Africa" than Libya. Tuaregs, a nomadic pastoralist group, are also found in Algeria, Mali, Niger and Burkina Faso.

"Unacceptable" conditions

Some Tuaregs are optimistic about the future, but despite the renewed sense of freedom, those living in Tayuri say the conditions in which they live are "unacceptable". By comparison with other neighbourhoods in Sebha, homes in Tayuri are arranged haphazardly; the communities here say they receive little assistance from the state; and there is no proper sewage or refuse disposal system.

“There is no infrastructure here at all,” said Mohamed Ahmad Othman, walking gingerly around electric cables scattered across the ground in between the houses. “The electricity here is not organized according to the laws and sometimes the kids that run around die from electric shocks,” he said.

According to UN Refugee Agency (UNHCR) Chief of Mission Emmanuel Gignac, levels of poverty in Tayuri and other Tuareg neighbourhoods exceed those of other areas in Libya. “They have built the houses themselves, and malnourishment is probably more widespread,” he told IRIN. “Also there is a problem with education since many can’t register their children in schools. It is not a humanitarian crisis, but more of a structural problem.”

Without access to the same services and opportunities as other Libyans, the future for many Tuareg youth is difficult. Those that manage to continue studying to university level are often later denied access to good jobs. “At the end of the day, the ones who are literate are in the same position as the ones who are illiterate, so they often get demoralized and there is no motivation to study or to do anything. Everywhere there is an obstacle,” said Sheikh.

Citizenship and statelessness

Thousands of non-Arabs like Tuaregs have no official documentation attesting to their citizenship. In Libya, the main proof of citizenship is the family booklet, in which all members of the family are listed and which is presented when applying for jobs, university studies and scholarships, or when taking out a loan from the bank.

Tuaregs who have been in Libya for 100 years have managed to obtain these documents, but those who settled in the country 40 or 50 years ago were denied a family booklet and possess neither Libyan nor any other citizenship.

“This camp is a result of a political problem, not an economic problem. Very few of us have nationality or passports, only identity cards,” said Issa Azaoui, a member of the Toumast Association in Tayuri. “We cannot travel for study or for medical treatment outside Libya, and we cannot even become a high-ranking officer in the army, or a minister, or buy property of our own.”

In Oubari, a predominantly Tuareg region about 120km outside Sebha, Abdulsamad Mohamed, 60, told IRIN he is an original Libyan, but cannot apply for a passport or a family booklet. He pulls out the only two documents he has - one a piece of paper on which is listed the members of his family, the other a national ID card which he says he received after returning from a visit to Algeria. Under “nationality” is written “returnee”. “What does this mean? If someone asks which country I come from, do I say ‘returnee’?” he said.

UNHCR’s Gignac said the Tuaregs are essentially stateless. “Under the former regime, there was no process to get nationality. Now it’s a legal and also an administrative issue, but you will need a system in future to apply the law,” he said.

According to the activists in Tayuri, community members approached Libya’s National Transition Council (NTC) chairperson Mustafa Abdel Jalil to grant citizenship to those who have Libyan origins but were told that this would only happen after the 19 June elections. As a result, determining who has Libyan origins remains a challenge, especially for those who do not have any documents.

And in a place like Sebha where porous borders to the south have exacerbated xenophobic fears of the country being infiltrated by foreigners, and already existing prejudices against communities like the Tuaregs, the question of who is truly Libyan might become a highly explosive issue in future.

“The term ‘Libyan origins’ is unclear. If you look at the history, the Imazighen are the original people of Libya. But for the government, the original Libyan is one who speaks Arabic. It’s a kind of racism,” said Khamena, a Tuareg elder in Tayuri.

Political representation

Ahead of the June elections, the absence of family booklets among large numbers of minority communities in the south threatens to exclude them from registering as voters. To circumvent the problem, the government has allowed those with an alternative family document, as well as a driver's license or national ID card, to register.

Voting in the elections, however, constitutes only one aspect of wider political participation. Some are afraid that when they are eventually given documents, these will not be the same as the ones held by other Libyans, continuing the ongoing cycle of discrimination. Another concern is that those without documents cannot run for political office.

In Murzuq, an area said to be currently controlled by the minority Tubu community, a large percentage of the population do not have documents. "Elections here are based on tribal affiliations. In some countries minorities have some kind of representation, but we are afraid that we will have no parliamentary representation at all," said Yusuf Soghi, the outreach coordinator for the local council in Murzuq.

The NTC had one Tuareg member from Oubari, Mossa Elkony, but he resigned over frustrations concerning the way Tuareg communities in Ghadamis have been treated by the central government.

He told IRIN he is not optimistic about the future, but said whoever takes his place following the elections will have to work very hard. "There are even some people who think the Tuaregs should have all their documents removed and be sent out of Libya," he said. "And now, it seems like a minor problem, but it could spiral into something bigger, like in Mali. The Tuaregs there have established their own country, Azawad."

Those living in Oubari concur that Libya will pay the price if minority communities are not given their full rights like other Libyan citizens. "It's a strategic and a security problem for Libya. If the Tuaregs are given full rights, they know this area and they can bring stability against trafficking and illegal immigration. The government does not realize this," said Mohamed Abselwelik al-Ansari, head of the al-Ansar Tuareg community sub-tribe.

"Otherwise, the suffering of the Tuaregs in each country can become a major threat to the stability of the region."
