

Refugees and asylum seekers in Agadez

Background

Niger is situated in a **geopolitically sensitive area linking the Sahara Desert with the Sahel, and West with Central Africa**. The country has become a major hub for mixed movements northwards to Libya, Algeria and the Mediterranean while at the same time witnessing an increasing number of people fleeing Libya or being deported from Algeria on Nigerien territory. In response to the complex humanitarian and security situation in Libya, Niger is increasingly turning into an **alternative space for protection**, including for the asylum-seekers and refugees who fail to reach Europe. UNHCR works with the Government in order to **find solutions** that enable refugees to live their lives in dignity and peace. They can include voluntary repatriation, resettlement and local integration.

Owing to the role of Niger as a transit country, the UNHCR Niger operation has opened a new office in Agadez in 2017, scaling up its operational capacity to give a response to those in need of international protection within mixed migratory flows.

Role

UNHCR's main objective is to ensure that people in need of international protection have access to asylum. Therefore, UNHCR invests in the structural strengthening of the Nigerien asylum system. Moreover, UNHCR gives assistance to people under its mandate and aims to find durable solutions, such as resettlement, local integration or voluntary return to the country of origin if the security conditions allow. Complementary legal pathways, such as family reunification, study visa or humanitarian evacuations are also examined.

In Agadez, UNHCR continues to invest in strengthening the national Refugee Status Determination (RSD) system through financial and human support, so to enhance its technical capacity to conduct RSD effectively and efficiently.

UNHCR is working closely with the regional authorities to strengthen the protection of refugees and asylum seekers, whose arrivals in Agadez have continued to increase in number since the end of 2017 and are now stabilized but still active. **As of 25 September 2020, 1,096 people, mainly Sudanese nationals, have been identified as in need of international protection**, and registered by UNHCR in Agadez. Among these people, 23% had been previously biometrically registered by UNHCR in another country or disposes of refugee cards issued in other countries, mainly Chad.

64% of PoCs have asylum-seeker status, while 36% of them are already provided with refugee status, in Niger or elsewhere. 2% are unaccompanied and separated children (UASCs), some have reportedly been the victim of exploitation, torture and human trafficking (242 PoCs - 21% have specific needs). 272 PoCs, the most vulnerable, are currently hosted in 4 guesthouses in Agadez by UNHCR where they receive immediate protection and assistance, while other 824 PoCs are hosted in a Humanitarian Centre built in the outskirts of Agadez on a 5ha site managed by UNHCR and partners. In addition, an extension of 15ha not yet serviced.

The rainy season of the last two months and the degradation of the Security and Protection environment within the Humanitarian Centre, due to several strikes and hostilities of a group of PoCs toward the UNHCR staff and Implementing partners, have resulted in several damages to the housing structures and the impossibility to reach and support the PoCs within the Centre to provide them with the necessary services. This situation is leaving many households without a safe accommodation and the needed protection. UNHCR is working with authorities to open new guesthouses in the center of Agadez in order to relocate the affected PoCs and respond to the emergency situation (2 new guesthouses have been opened by the implementing partner APBE during the last two weeks). Even if the arrival's flow seems to be currently stabilized and no massive arrivals have been registered in the last months (**17 new arrivals have been registered during the last week**), with the dire human rights situation in Libya, the number of persons of concern reaching Agadez may continue to increase.

Philosophy of Care

Many of the persons of concern (PoCs) in Agadez have suffered severe trauma due to torture, sexual violence and slavery whilst in their country of origin and/or in Libya. In order to adequately respond, UNHCR works mainly with partners APBE, COOPI, INTERSOS, FORGE ARTS and MEDU to provide psychological and psychosocial support through specialized services (primary health care, psychosocial support, SGBV and Child Protection services, including education...), as well as recreational and creative activities (currently only within the Guesthouses in Agadez) to support traumatized persons to cope with their traumas and learn to manage and resolve deeper issues, such as post-traumatic stress disorder (PTSD), depression, fear for their future or rage for their waiting situation.



Music session provided by the Psychosocial Team aiming to favorize positive expression to the Guesthouse n. 7 in Agadez/ MEDU

COVID-19

On March 20th, 2020 the General Directorate of Civil Status suspended interviews of asylum seekers in Agadez except for new and emergency cases for which only registration continued in strict compliance with the COVID-19 preventive measures.

Despite the country's lockdown and the stop of activities such as resettlement, relocation and ICRC family tracing, RSD interviews conducted by UNHCR personnel continued with strong preventive measures put in place (use of masks, handwashing, disinfections of the facilities etc...).

By September 25th, 2020, restrictions have been lifted and UNHCR activities have fully restarted. According to local sanitary authorities (Regional Hospital Centre: CHR) **only 105 positive COVID-19 cases are currently confirmed in the Agadez region, with no death cases registered.**

To prevent the spread of the virus Health implementing partners APBE and MEDU, with the support of UNHCR, continue to conduct sensibilization of the refugees on a regular basis. During the last reporting period, other 92 sensitization sessions have been conducted, resulting in 172 persons receiving sensibilization sessions, among them 50 women.

Legal framework in Niger

- The asylum system is substantially strengthened, with a focus on timely registration and refugee status determination (RSD) in liaison with the competent authorities;
- People of Concern in mixed movements are aware of protection services available in Niger and can access them;
- Effective protection is available for identified persons of concern coming from mixed movements;
- Niger has ratified the 1951 Geneva Convention and the 1967 Additional Protocol. It is also a State Party to the 1969 OAU Convention as well as the 1954 Convention on the Status of Stateless Persons; the 2009 Kampala convention on internally displaced persons and many others international legal instruments like the Universal Declaration of Human Rights of 1948 ...
- Niger has adopted a Law on Asylum (law n°97-106 on the Status of Refugees, June 20, 1997). The country has also implemented a National Action Plan on Statelessness for Niger (2018-2020).

Achievements so far

- UNHCR has established a proactive cooperation with the regional authorities in Agadez and has managed to increase the presence of the competent authorities, notably the General Directorate of Civil Status, Refugees and Migration (DGEC-RM) / Ministry of Interior) responsible for refugee status determination;
- UNHCR, IOM and the Government of Niger have signed a Memorandum of Understanding in 2017 on the identification and referral of persons of concern of information and assistance;
- Thanks to the Regional Development and Protection Programme for North Africa (RDPP-NA), between 2016 and 2019, key actions aimed at strengthening the asylum system in Niger were implemented namely: capacity-building of Government officials on refugee status determination (RSD) standards and procedures, recruitment of 10 eligibility agents trained by UNHCR and embedded in GoN structures, improved capacity to process RSD and finally providing assistance and protection services to PoCs in Agadez. Currently, 956 RSD cases have been treated by our staff:
 - As of 28 September 2020, 361 cases are about to be transferred to the CNE for adjudication during the next CNE session planned by October 2020.
 - 42 households/62 individuals are currently under the RSD process in Agadez (interview & assessment).
 - Since 2017, 585 cases have been adjudicated in first instance by the CNE. Among these 585 cases, 41 have lodged an appeal at the CRG which held its first session in February 2020. All cases have been rejected at the CRG level.
- As of June 2020, with the support of the RDPP-NA III, a one-week comprehensive training session on RSD standards and procedures has been dedicated to 33 members of the first instance

eligibility body in Dosso (22-26 June). From 12 to 14 August 2020, the CNE held its second 2020 session in Niamey and adjudicated 71 cases from Agadez. Over these cases, 65 have been granted refugee status, 3 were rejected and 3 remain on hold for complementary information.

- UNHCR has constructed a humanitarian center built several kilometers outside of Agadez. This facility was equipped with over 330 refugee housing units, WASH and latrines system, community spaces and offices for staff working on the site. Due to a massive fire occurred last January 2020, the 80% of housing units has been destroyed or damaged. UNHCR has immediately reacted relocating the most vulnerable households in guesthouses while rebuilding many housing units for the PoCs still hosted in the Humanitarian Center. Currently, UNHCR is working with authorities to relocate all the remaining vulnerable households within guesthouses in order to restart the construction of new durable and semi-permanent structures and to implement a project to build a permanent pipeline that will provide the Humanitarian Center with the needed water supply. The project is funded by the Italian Ministry of Foreign Affairs.
- UNHCR is engaged in cross-border exchange with Chad and Sudan to develop a comprehensive framework for readmission and voluntary repatriation;

Planned response

- Continue identification of persons of concern among mixed migratory movements, including through a range of referral instruments;
- Promote community-based protection, in order to identify persons with specific needs (unaccompanied minors, victims of sexual or gender-based violence, pregnant women, etc);
- Support the Government of Niger in conducting timely registration of asylum seekers, followed by refugee status determination and issuance of individual documentation;
- Accommodate and care for most vulnerable asylum-seekers, including unaccompanied and separated children (UASCs), SGBV survivors, persons with mental or physical disabilities, etc;
- Promote Mental Health and Psychosocial Support (MHPSS) to traumatized and vulnerable persons of concern, through continuing education, learning activities, psychological support, recreational and creative group sessions;
- Strengthen peaceful coexistence between the host population and the refugees/asylum seekers in Agadez;
- Promote access to solutions (asylum, readmission, repatriation, regularization of stay) for the different groups identified in the mixed movements.
- Develop an education/training support strategy for refugee and asylum seeker children in collaboration with UNICEF;
- Implementation of the new Food Strategy within the Humanitarian Centre, following the Action Plan UNHCR/APBE/DRECM and according to PoCs requests and needs.

Challenges

- UNHCR remain in constant dialogue with the authorities to strengthen the peaceful coexistence of the asylum seekers and the host community; despite the efforts to maintain an open communication with all parts, since last July 2020 relationships with some PoCs has deteriorated, resulting in some security incidents to the Humanitarian Center by the hand of approximately 50 PoCs. The rainy season of last two months has worsen the situation. On September 15th and 24th has started a second relocation of 64 vulnerable PoCs from the Humanitarian Center to new Guesthouses in Agadez. Currently 824 PoCs are still hosted within the center while other 272, mostly vulnerable cases, live in the city of Agadez where 4 guesthouses are available. UNHCR is working to the resolution of the situation, together with the authorities and the PoCs community.

- People continue to be expelled from Algeria to Niger. This increases pressure on the region and can have a negative effect on social cohesion. September 05th, 2020 an official convoy arrived in Assamaka with 27 persons expelled by Algeria. Since January 01st 2020, 13413 persons have been expelled by Algeria, 8241 of them (64%) being Niger citizens. UNHCR helps those amongst the expelled in need of international protection;
- Harsh weather conditions and sand/rainy storms are becoming more frequent and dangerous. During the last weeks, other 11 RHUs have been damaged due to a violent windstorm.



Damages occurred in the Humanitarian Center due to harsh wind and rainy storms during the last month/ APBE



Partners



Donors

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Contacts

Ms. Valeria Dell'Aquila, Associate Reporting Officer, dellaqui@unhcr.org, Tel: +227 20 75 20 64/65

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