



# **FAMILY REUNION VISIT TO LIBYA - 2008**

## **BASIS FOR ISS UK WORK IN LIBYA:**

The right of any child to have contact with both parents is enshrined in the UN Convention on the Rights of the Child (UNCRC). The UK acceded to the UNCRC in December 1991, and the Libyan Arab Jamahiriya in April 1993. Article 9 (of 54) in particular, states:

“State Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child’s best interests.”

Contact between a child and non-custodial parent following the separation of parents can often be complicated; it is inevitably complicated further by the fact of parents living in different countries. In addition, when separation occurs between a British woman and a man from an Islamic culture, laws concerning custody and contact in the two countries are incompatible.

Libya, like most Islamic countries, is not a signatory to the Hague Convention on International Child Abduction, so there is no legal mechanism for the return of a child who has been taken to Libya or retained there, e.g. following a family holiday.

In 2007, following discussions with the General People’s Committee of Social Affairs, representatives of ISS UK and Wa’atasimo Charitable Foundation signed a co-operation agreement to further the work already well established by the Family Reunion Project and its earlier partnership with the Higher Committee for Children.

## **THE NEED FOR GROUP VISITS:**

At the initial request of the Foreign and Commonwealth Office, ISS UK, in collaboration with the Higher Committee for Children in Libya, has been involved since 1997 in a project to enable British mothers to renew or maintain contact with their children in Libya. Several factors were important in the early days – including ISS UK’s apolitical and non-partisan status; Libya’s political isolation at that time which made travel virtually impossible; ongoing issues following the Channel 4 TV programme of 1994; the Libyan’s wish for a group of fathers to visit the UK in 1997 to have contact with children here.

The group visits should help to ease the fear of all parties: the Libyan father can trust that the semi official nature of the visit will safeguard, to a large degree, against the likelihood of children being removed; the British mother appreciates the safety of group travel, the support available from accompanying ISS staff and other group members, and the greater freedom offered by the Project, to enjoy the precious time with their children in a more relaxed holiday setting.

However this is still not always the case, and the situation is always most difficult on the first visit. Often fathers and their families can be surprised to hear that a mother will be visiting Libya without the need for their approval and co-operation in the immigration process. Sometimes, despite all assurances, they suspect that the whole

thing is some form of deception to try and remove children from their situations, and take considerable persuasion to allow the children to participate.

In the last few years travel to Libya has improved greatly. There are now direct connections to Tripoli from several European cities, and it is easier to get a visa. As relationships for some families have improved with the passage of time, so it has become possible for some mothers to make their own arrangements to visit their children. However, the vast majority would still prefer to be part of a group, with an element of independence and freedom that would not be possible if they stayed within the family settings in Libya.

Many of the children know each other now from previous visits and their interactions are invariably positive. The Janzour Village complex is popular with most families because it is more family and child oriented than a normal hotel. Each year the room facilities have improved – now all rooms have television and a fridge, and many have been completely refurbished. The Village has, apart from the beach and swimming-pool, other activities for children, including a small amusement arcade with games and a few rides, and also ten-pin bowling. There are always plenty of opportunities for privacy as well. There is a choice of catering facilities on site. The facilities generally have shown significant improvement over the years.

## **INTRODUCTION:**

Each year we have produced a Report on the activities associated with the visit. Last year for the first time we included comments from the mothers who wanted to contribute, and their personal stories and comments spoke more loudly than any third party could report. This year, the format will again be different. There will be less detail about each family and their specific situation, punctuated by the mother's own poignant comments. Instead we shall take another look at some of the many and complex processes involved for the families and children in making these visits happen, and draw attention to things that seem to work for them, as well as things that quite clearly do not!

The ISS UK Libyan Family Reunification Project, one of a kind internationally, is made possible through the support of the Libyan and British governments and the charitable work of ISS UK and Wa'atasimo. The project's existence and ongoing success exemplifies the commitment on the part of both countries and their respective non-governmental organizations to comply with the Convention on the Rights of the Child, specifically Articles 9, 10 and 18 (supporting the rights of the child to be raised by and have direct regular contact and relationships with both parents) as well as Articles 7 and 8.

Key factors which contribute to its success are the backing of both governments. Without the support of the Libyan government and key leaders, the project would not take place. The Libyan government and Watasimo facilitate the project in numerous ways; politically, permitting ISS and the maternal family members to come to Libya, supporting meetings between ISS and Watasimo, providing positive media coverage; financially, providing accommodation and transportation; practically, offering a willingness to intervene where significant difficulty arises. The British government demonstrates its support through the financial assistance it gives to ISS UK to

arrange and organise the visit; through the consular assistance in individual cases throughout the year, both in London and Libya; a willingness to address issues and engage with mothers during the project, and moral support during the visit with a tea with the Ambassador and an informal gathering at the Embassy club.

The project is particularly sensitive because it engages in the private domain of the family in an Islamic law country. The project brings mothers to Libya to visit their children when fathers have determined that their children should live in Libya. Due to the sensitive nature of the intervention, inherent challenges arise which make the project contentious, emotional and difficult. Quite often, laborious and exhausting efforts are needed to convince, persuade, and practically beg fathers and paternal families to permit children to spend time (two weeks) with their mothers and members of the maternal family, whether half siblings, aunts or grandparents.

We must remember that this is not a unique problem just between the UK and Libya. Unfortunately child abductions and illegal retentions will continue to happen, and many of these will be to other Arabic countries, where the legal, religious and cultural systems, as described in previous reports, prevent consideration of abduction under the concepts upheld within the Hague Convention on International Child Abduction. What is unique, however, is the programme that has been developed by ISS UK and its Libyan partners to address these problems within Libya. We hope that with the strengthening of the Project by the new partnership between ISS UK and Wa'atasimo, that all those already involved continue to have more contact, and that others, both in Libya, as well as elsewhere, will be able to experience and benefit from this project.

There are those families where even though mothers may visit annually, and appear to have few difficulties during the actual visit itself, once they have left Libya there is very little or no contact. Fortunately this is not always the case as we deal with such a very wide range of situations, from those where the children were abducted many years ago, and the "children" are now adults, to those of a more recent nature.

Amongst the major developments this year was the inclusion in the group of mothers from the Czech Republic, Bulgaria, as well as 3 new UK family situations. This serves to highlight that the issues we have been addressing through this Project are still very much alive and continuing. Not all of these are the "classic" child abductions where a father will engineer the removal of his child/children. In fact the more recent trend involves situations where the couples have not even separated yet – they go on a "holiday", sometimes not even for the first time, and then once in Libya they are told that the children are not returning with them but are staying in Libya permanently. The mother is then faced with a most difficult and unexpected decision. Many will try to stay with their children, but even despite their best efforts, some will be unable to see the situation through. In Libya they are usually isolated from any of their own friends or contacts, and kept within what is often quite a controlled and restrictive atmosphere. Such a decision and action by the father will usually mark the end, or beginning of the end of the relationship.

## **PLANNING:**

Not surprisingly, given the recent positive developments, this year has seen greater interest in the work of the Project. The new additions to the group have come to us through a range of different sources – some independently, one case was passed to our Libyan co-ordinator by the Libyan Ministry of Foreign Affairs, one through the ISS international network. Eventually there were 22 group members representing 12 different family situations.

Inevitably the higher numbers and additional countries involved meant that the planning was more complex than usual. It was important to try to make the journey as easy as possible for everybody, yet still trying to co-ordinate everything. With such a large group scattered all over Europe, it meant in the UK alone we had 3 different departure airports. Some flew direct, others via Amsterdam, or other European airports.

A further complication was an enforced change of dates just several weeks before our scheduled departure due to the Janzour Tourist Village not having sufficient rooms for our group due to a wedding taking place there. So after the necessary authorisation from Wa'atasimo had been received by the People's Bureau, our visas were issued without delay.

On our planning visit to Tripoli to prepare for the visit in April, we were asked to assist Wa'atasimo in making a film of the work of the Project. This involved filming 3 mothers in the UK preparing for the visit. We were then asked at very short notice to bring our film-maker to Libya to complete the film. This involved making additional travel, visa and accommodation arrangements. Our film-maker fortunately was able to re-arrange his work schedule and travelled to join us for a week to complete the filming.

## **KEY CHALLENGES:**

### **The Fear Factor and Control Issues**

As some fathers coordinated elaborate abductions or retentions, fathers are often concerned that mothers will do the same and engage in “a snatch back”. The involvement of the diplomatic missions and the Libyan authorities is absolutely critical but it also heightens the paternal family's concern of a conspiracy. Most fathers and their families believe that a mother will not be able to enter Libya without their agreement and invitation (which in some cases is unlikely to be forthcoming), so when they see or hear that the mother is in Libya, they become worried. These fears are assuaged to some extent for seasoned participants who see that the visit is simply about contact with the mother. Additionally, the fathers, who have significant control over the children's lives throughout the year, often struggle with relinquishing some of this control for a couple weeks. The fear factor and control issues become evident in numerous ways, specifically with some fathers refusing to bring the children at all, conditioning the visit on the mother staying at the paternal residence, or fathers insisting that members of the paternal family or the father himself stay at the Janzour

tourist village during the visit. The fathers may bring the children but apply strict terms and conditions to the visit. For example, some children are not allowed to join the group for any outings. Some are forbidden to attend the tea with the British Ambassador at the British Embassy, and some are not allowed to go to the afternoon barbeque at the British Embassy club. The fathers may agree to a visit but may end or disrupt it at any moment for the slightest provocation. Naturally, this tumultuous dynamic can lead to a precarious and stressful visit for both mother and child. As the arrangement is delicate, the mothers adjust accordingly to safeguard their time with their children.

### **Presence of the Paternal Family and Safe Environments**

The issue of the ongoing presence of the paternal family is a complicated one. Often, it is either a mandatory condition or a key bargaining chip that the paternal family, or certain paternal family members, will stay at the Janzour while the children are there. The choice becomes either the mother sees the children (which she wants to do) but with some cousins, father, etc, present or she does not. Effectively this is not much of a choice!

Sometimes a few mothers may stay at the paternal or family home. This arrangement can work very positively, particularly if the mother and paternal family are on genuine good terms, the paternal family are supportive and give the mother proper space so that she feels comfortable, and has privacy with the children. Most importantly the mother has to desire this arrangement. There are certainly a number of cases where this arrangement takes place and works well. However, there are other situations where this condition is an extension of the paternal family's control over the mother. These situations then by their very nature can become difficult, and lead to a mother feeling as if she is essentially trapped. This year in one extreme case, the mother was only allowed to leave the family home on 3 occasions during the two week visit.

Reunification is a delicate process for all the parties involved. The ongoing paternal presence enables constant observation of mother and children. This then increases the tension in the environment generally, and presents a further obstacle to the visit between mother and child from flourishing. Numerous related reasons demonstrate how this arrangement is not preferable during this process.

Most of the children are likely to feel a divided loyalty between the parents, and the child will need the unambiguous permission of the paternal primary caregiver to engage with the mother. The child may struggle to bond freely with the mother if a paternal family member is intrusively present as a watchful eye. The child may not feel free to express love and affection for one parent in the presence of the other parent. If the children were exposed to anger from the conflict and negativity towards the other parent, the children, particularly newer children, may be working through difficult questions about their relationship to their mother, whether she abandoned them? what if she is not Muslim? why won't she stay in Libya? etc.. The children may have any number of questions for the mother which they do not feel they can ask in front of the father.

For the mother who is being watched by the paternal family, whether at the Janzour, or at the family home, the stress levels for her are considerably heightened. One must remember that some of the marital relationships broke down in terrifying ways with mothers trapped in houses, subject to domestic violence, etc. Thus, a residual fear of the father or family along with their demonstrated control over the mother's access to the child is often present.

As the mother is not in her home environment, she is likely to feel greater stress. Thus, given the situation, the Janzour tourist village provides as safe and neutral a space as possible. Measures should always be taken to safeguard its role as a sanctuary. Namely, enabling mother to stay there, if she desires, with the children, and preferably without the ongoing presence of the paternal family. It is recognized that in initial reunifications, depending on the length of the separation and age of the child, a child may need time to feel comfortable again with mother before staying but a full and more private visit should be the goal.

### **Cultural Difference Regarding Approach to Time**

Given that the mothers have just a small window of time to visit with their children, every second counts. Thus, unexpected delays along with a general uncertainty regarding time contribute to considerable stress and frustration for project members. The classic example is waiting endlessly for the paternal families to come and bring the child or children. It should be noted that the Libyan facilitator does preparatory work in consulting with the families on the ground well ahead of time so that they are aware of the visit. Furthermore, during the trip, the Libyan facilitator is constantly on the phone to the paternal families requesting their arrival and negotiating with them. On this past trip, numerous promises were made to bring children generally, and then at a succession of more specific times. Two cases in particular exemplify the profound frustration. Family member A was waiting for a child to come and after a couple days, finally the family said they would bring her. On the proposed night of arrival, Family member A and the social worker waited 4 hours at night in the lobby and no one came. Then, the next day, Family member A and multiple social workers waited for 5 hours for this child to show up. On the second day of waiting, the team had been advised that the child would be there at 10 am. The team and family member A waited for 2 hours. After numerous calls from the team, the family said they would be there in a half hour as well as in fifteen minutes which ended up actually being another 3 hours. This experience of waiting endlessly was excruciating. In another situation, the father would repeatedly say that he would bring the children and he simply would not show up, or would show up late in the day and not even let the mother know. This happened on numerous occasions. In the two cases mentioned above, easily forty to fifty phone calls were made to the families.

Arguably, there are two forces at work here. One is cultural: a different and more flexible approach to time. The second force is avoidance on the part of some of the paternal families to fully engage in the visit. It is not unexpected that certain families want to avoid bringing their children to visit the mothers out of principle, out of fear, etc. Thus, when this avoidance factor is at play, it magnifies the enormity of the challenge in simply bringing the children to the tourist village. It was astonishing to see how much cajoling and persuasion had to go on, constantly. It was exhausting for

the project leaders, the mothers, and presumably for the paternal family who likely felt harassed. When avoidance is used intentionally, it provides another mechanism for the father to exert control over the situation and demonstrate the mother's and the intermediaries lack of control.

## **STRENGTHS:**

### **Bond Between Child and Maternal Family**

The highlight of the trip which makes challenges worth surmounting is witnessing the bond between mother and child. While parenting "in person" is not an easy task for just 2 out of 52 weeks, the affinity between the mothers and children is glimpsed best in the smallest of every day moments, whether it be playing on the beach, having meals together or simply laughing. It is amazing to see how the mothers re-establish and strengthen their rapport with the children and the fondness with which the children gravitate towards their mothers. This connection lays the groundwork for a positive and loving relationship throughout the rest of the year and through the child's life, where this is allowed, as in some families despite the regular visits, contact outside of them remains difficult.

Not surprisingly, the children who live in Libya often have family members overseas and, the project was able to include five half siblings, a couple aunts, a cousin and three grandparents on this particular trip. In one family, an aunt was seeing a niece after sixteen years, and a younger cousin was meeting her older cousin for the first time. Sisters, apart during the year, could spend time together. Even to see a group of siblings innocently arguing with each other had an important and healthy sense of normality. A grandmother could see her two year old grandchild use new words like hello, and master waving goodbye with her hand. This interaction amongst kin demonstrated how the separation or the loss impacts not only on the mother, but also on the wider family network around the child and what an important supportive and loving role that family can play for a child.

### **The Strength in the Community Nature of the Project**

A great source of strength for the mothers is the sense of safety, solidarity, and empathy within the community of the mothers. These mothers in their own normal lives are in a unique set of circumstances but within the project they share similar yet at the same time very different personal experiences. They provide guidance, comfort and support to one another. The mothers who have been involved with the project for years, advise other mothers who are newer members on navigating the two weeks and how best to handle the process of reunification. Typically, mothers involved for a long time often have established and positive relationships with their children and that relationship provides hope for newer members taking the difficult first steps.

The mothers' stories of separation from their children are often similar whether it is a situation where a mother moved to Libya to try to live, whether the children were abducted from Europe, or the family was on holiday and the children were abducted from Tunisia. While there are striking similarities in the individual histories, each

story is different and each struggle is individual and each approach to the situation is different. It remains critical that project members respect each other's unique situation and choices.

The project fosters a powerful sense of community amongst the children as well. The children within the project have camaraderie with each other. Children involved in the project for a number of years often extend themselves to newer and more uncertain children typically as a reassuring playmate but as well to newer mothers to share their invaluable perspective. A couple of children, now in their early twenties, involved with the project in past years, came to the Janzour to visit current project members. That these young people still feel a sense of belonging to the wider group and particularly to the others mothers signifies the strength of the community and its ongoing role for these children.

### **A POSITIVE STORY:**

A particularly challenging case this summer had a dramatic transformation. At the initial point of reunification, the children were initially very distant and cold towards their mother. The children had to be encouraged to greet their mother and would do so by limply shaking her hand and not looking her in the face. The social work team was very worried about the extent of potential parental alienation. It is probable that the children were experiencing a mixture of emotions, distress at the parents break up, loyalty to their father, confusion, and the possible fear that their mother would abduct them. When the family was all together, it was a very tense situation. A lot of work took place to get the father to bring the children in the first place, and for successive visits. More persuasion was needed for the father to give the children enough time and breathing space with their mother. In the private time with their mother, the children eventually began to relax and play. Then, they were able to ask their mother important questions like why she was not in Libya and was she going to abduct them. Once this process could take place, the children warmed up considerably and began to express their feelings about her absence and could discuss what they liked about Libya and missed about their mother's country. By the end of the visit, the father seemed to understand that the visit was about fostering the bond between the mother and her children, and not about damaging his relationship with them.

Certain factors helped this family take positive steps. First, both parents were fully devoted to and engaged in their children's wellbeing. The father was committed to the marriage and it took supportive work with father to shift the focus from the marital breakdown to the future of the mother's relationship with the children. Mother was particularly calm, strong and able to endure emotionally. She had prepared herself well for the emotional roller-coaster ahead. While internally in absolute distress, she kept a brave face. As difficult as it was, she had accepted that the children would stay in Libya. She could see that they were happy and being well provided for. A key step was working with the parents to demonstrate that while their marital relationship may have finished, their role as parents is ongoing and would continue.

Such was the progress in this case that after persevering and overcoming the early difficulties, this mother has been back to Libya twice to visit the children, in October, and also in December for Christmas. The father financially supported the first visit,

and the mother stayed at the paternal home. The father gave her ample space and privacy to be with the children, and so confidence and trust have now developed between the parents, opening the door for better communication between them, and greater success for future visits. The suspicions and anxieties have been removed. This is a critical success story.

## **NOTEWORTHY ISSUES AND OBSERVATIONS:**

### **On the Individual Level:**

#### **Language**

As some children have been in Libya since they were quite young, their expertise in the language of their father, Arabic, has usually taken place at the expense of their mother's language, whether it was English, French or Bulgarian. It was startling to realize that some children could not communicate with their mothers in one of the child's first languages. Some of the older children had either learned or improved their English in school and that has facilitated communication. Some of the mothers had learned Arabic before the marriages had broken up, others have tried to learn Arabic in an effort to bridge this gap with their children. Nevertheless, such a loss of communication is often a significant and sad one.

#### **Parenting Challenges**

Inherent challenges are involved in re-establishing the mother's role as parent, given that she has little time to parent "in person". It was impressive to watch mothers and children adjust to family roles where mother had parental authority over the child and the child responded to those boundaries. Small examples include a mother instructing a child on manners, or requiring them to wear a hat in the sun.

As the mother is no longer the primary caretaker, the child may not be used to her parental authority. All the mothers want their children to be happy, and the time with their children is so precious to them, so that consequently, they may be less inclined to exert authority over the children, and appear to be "spoiling them". The child often may have more power in this situation because the parents are often divided rather than united. If the child is not getting his way, the child may play one parent against the other. This is a common dynamic even in families which have not broken up, but when two parents are separated and the children have some insight into this, but when this happens during the visit, the stakes can often be very high. A child seeking out the paternal family member to complain or to "get their own way", can completely unintentionally lead to the termination of the visit. Some paternal family members need little encouragement to remove a child from the visit, and may be looking just for such an opportunity. The individual family history and the current working relationship between a mother and father is particularly relevant to the question of how empowered and confident the mother feels, and how successful she will be in the parenting role.

## **Sibling Issues**

As sibling dynamics exist and evolve in so many different ways, all the sibling communities provided a constant source of support for one another. It was striking to see the siblings who live in Europe forge bonds with their siblings who live in Libya. For the siblings living in Libya, it can be hard to grapple with the reality that the other siblings are with mother on a daily and permanent basis. Of the sibling groups in Libya, the older siblings seemed to take on a uniquely protective role, whether helping the children to cope with the loss of the mother, or driving a shared loyalty towards the father. The influence of siblings on one another was also relevant. In one case, an eldest sibling loyal to the father, projected his negativity and reservations toward the mother onto the younger siblings. Only when the younger children were alone with their mother, could they begin to relax and express their affection and true feelings. It was heart-warming to watch the younger children become more confident about articulating their desire to be with their mother, and this being translated into reality.

## **Absence of Paternal Figure**

It was striking to realize that a number of the children were not actually living with their fathers. A number of the children reside with extended paternal family members i.e. grandparents, aunts, uncles but their actual father is often not in the family home. Some work away from home, perhaps in the oil industry, which is based in the more remote and inaccessible parts of Libya. While it is recognized that the prospect of living with the extended paternal family in Libya, surrounded by Libyan values may be deemed preferable to living with the mother outside of Libya, it is profoundly unfortunate that some of these children are inevitably separated from both of their parents. The extended paternal family will usually play a positive and engaged role in the child's life, while some the fathers can be very distant and disengaged figures. It is fortunate for these children when they can find support from a particular relative but it remains a significant loss for the child to have the absence of both parents on a more permanent basis. Given that these children have mothers desperate to care for them, it makes the physical absence of both parents even more upsetting. One particularly perplexing example involves a father who placed the children in Libya and returned to a European country (where mother resides). So both parents are in the European country but the children are in Libya

## **Family Dynamics in Libya**

It is important to recognise that family structures and systems in the Arabic world generally are different to those experienced by many of us. They are more traditional and hierarchical. Most families will live in "extended family" situations, as part of a larger family group. In some families it would appear that the paternal grandfathers or other more senior male relatives are the ultimate authority figures. It is certainly a more "patriarchal" system than most of us are familiar with. We are aware of at least two cases where the paternal grandfathers seem to have a greater say than the father. This is of course, something that the father could challenge, either directly, or through the Libyan legal system as there is apparently not any legal basis for this. However, the father is often not prepared to challenge his own father's authority, sometimes because of the strength of that relationship, but sometimes it seems that the fathers are

not financially independent, and are not willing to risk losing that support. In such situations dialogue with the father on his own is unlikely to be productive, and if they are reluctant to do so, it can be difficult if not impossible to access the wider family.

There are also of course those families where the extended family plays a vital role in the whole life of the child, but also importantly, a moderating role on the attitude of some fathers. Indeed without their active efforts, encouragement and support, the visits would not be so successful.

### **Point of departure**

The conclusion of the two weeks is the most difficult and saddest moment. Witnessing the profound anguish of mothers and children as they bravely brace for the departure exemplifies how growing up without one's parent for another year is irretrievable time for a child.

## **ON THE GROUP LEVEL:**

### **Confidentiality**

Due to the group setting and the intense nature of the project for two weeks, the group becomes privy to more information than they would in a classic professional and highly confidential setting. While mothers may opt to share information and often do so in the ongoing exchange of support and concern, it is important for the mothers and children to feel comfortable and safe regarding the privacy of their situation. While the communal nature of the project makes confidentiality more challenging, more awareness about this issue would be useful to ensure people feel as comfortable as possible throughout the project. It would be worth the group discussing this issue, devising ground rules, and checking in on this issue during the project.

### **Access to information**

Frequently, basic and serious information ranging from school reports to medical issues does not get provided to the mother. Naturally, the mothers want to know how their child is functioning on multiple levels. However, there are instances where a paternal family does not acknowledge the mother's right to have such information and in one case, where there are potentially serious health implications for the child involved, this information has been expressly denied. Mothers may sometimes not feel empowered to advocate firmly for this information, as they are fearful of the possible consequences of challenging the father's or the family's authority. Wa'atasimo has the clear position that the mothers have the right to this information, and a lawyer we met with has advised that legally the mothers have the right to this information. Accordingly Wa'atasimo have confirmed that they would be willing to facilitate the transfer of such information to the mothers, with ISS UK's assistance. Nevertheless, it remains a very difficult issue to negotiate.

## **ON THE PARTNERS LEVEL:**

### **Role of Wa'atasimo and the Libyan facilitator Mr Muftah El Fagih**

As noted, Wa'atasimo plays a key role in supporting the project. Their support is critical and their backing of the Libyan facilitator, still a volunteer after eight years continuous and ever increasing demands on his time, is paramount. Wa'atasimo are agreeable to the arrangement of ISS UK and Mr El Fagih doing the day to day work involved, both with regards to the group visit, but also on an ongoing basis in other situations where our intervention is required. The work is now much more involved than just arranging the annual visit, though through the positive developments of the Project in recent years, the negotiation and preparatory work required is always increasing.

As noted, Wa'atasimo supports requests for information. This year, due to significant focus on the film commissioned by Wa'atasimo during meetings, inevitably there was limited time to discuss comprehensively with them their role, and their work in other capacities in Libya, and operational issues when they are assisting the project during the year. Regarding the latter, there remain instances where a more formal and authoritative intervention is required to advocate with a family, as well as instances where it would be appropriate for a professional trained in child welfare to be involved. ISS UK did not have the opportunity to advance this issue significantly, on this occasion.

Mr El Fagih's work is the cornerstone of the project's success. Without his enduring efforts, the project's future becomes uncertain. The project generally is laborious and exhausting, building to a fortnight of sometimes frenzied activity, and so the potential for burn out exists and is a cause of concern. Mr El-Fagih operates as a volunteer which makes his role more challenging as he must gain the family's co-operation mainly through good will and persuasion. For future progress, it would be helpful to devise for him a more formal relationship either with Wa'atasimo, or in some other way. It is important for him to have access to some form of administrative/secretarial assistance, as well as help for e-mail, faxing, telephones and his costs associated with all the travelling he does. Certainly, if there were a child welfare professional within Wa'atasimo, or Libya who was interested in working on the Project, their additional involvement would be an excellent opportunity to get first hand insights into the challenges and areas of progress, their further development, as well as serving to safeguard the Project's long-term future.

### **Increasing International and Diplomatic Involvement**

This year, the group included family members from the following countries, the UK, France, Bulgaria, and the Czech Republic. ISS UK applauds both the Libyan and diplomatic authorities for linking mothers in need, particularly from countries outside the UK who may not be aware of ISS UK directly, to the Project.

The British, Czech, Bulgarian and Dutch Embassies all provided noteworthy support to the Project. Their concern and interest for the issues, and the ways in which they can support their citizens, as well as the Project, is of vital importance. The ability to

work effectively with each other and interested Libyan parties is critical, important and a positive sign of progress. The Project feels tremendous gratitude towards the British Embassy for all its ongoing support. The Project was pleased to work collaboratively with the other embassies, and looks forward to more joint efforts. We were most impressed at the commitment and practical assistance offered to the respective citizens of the Embassies. The Project hopes that the developing dialogue in the diplomatic community continues as information and idea sharing can help embassies support their citizens and share best practice guidance amongst one another. A consular “roundtable” group would be a way of engaging the diplomatic community on this issue. It is hoped that the French Embassy would engage with such a group as they have yet to express interest. As the American Embassy gets more settled in to Libya, outreach to them should be considered, as there are children of American and Libyan origin requiring similar assistance in Libya currently.

### **Developing legal network**

The Project’s main aim involves the fostering and development of contact between mothers and their children as a way of sustaining and safeguarding a positive and nurturing family relationship. ISS UK accepts that in many ways the approach is a concession to the fact that the children will remain in Libya, unless the parents can agree on a different arrangement. Nevertheless ISS UK appreciates that some mothers never want to accept that arrangement. ISS UK believes that it is paramount for mothers to be aware of their options, and to have as much knowledge as possible.

One member of last year’s group decided to return to Libya last Autumn, prepared to live there and to fight for the custody of her daughter through the Libyan Courts. She seems to have been successful in obtaining a Court Order giving her custody subject to her continued residence there. However, the father and his family have conspired to hide the child within Libya and have effectively prevented the Court Order from being enforced, despite some of them, including the father, being arrested and held in prison.

Finding experienced and interested family lawyers in Libya does not seem easy. We were able to meet with the lawyer who assisted the mother in the above case, and there may be other mothers prepared to consider this course of action. Through these developments we are currently aware of a small and informal support and information system within Libya.

ISS UK would like to develop and establish stronger links to lawyers who could be a resource in these cases, and thus provide better support for mothers to navigate the Libyan legal system if they choose to do so.

## **CONCLUSIONS:**

Yet again despite many challenges this year's Project has been a resounding success. The only members unsuccessful were the maternal grandparents of the child who had been the subject of successful legal Proceedings in Libya by the mother, but where the child had been hidden by the father and his family. They were desperate to see and support their daughter who despite her presence in Libya, this mother had not had contact for many months even before her legal success. Now, nearly 6 months after our visit, the child has still not been seen and the mother has had no contact.

All the other families were successful, though in a couple of cases this required some intensive interventions, and there were some clearly avoidable delays. The anxiety caused sometimes even being made worse by deliberate mis-information.

Another development this year was that we had 3 mothers travelling to and staying in Benghazi. These are all situations where the children are not allowed to join us in Tripoli at the Janzour. Unfortunately we were not in a position to give quite as much support to these mothers as because of the logistics, only one of the Project staff was able to visit Benghazi, and then only for a day and a half. We were actually quite concerned for one mother who was staying in the family home, as we had problems contacting her, and found out that she had only been allowed to leave the family home on 2 or 3 occasions. She had joined the group at the last minute and it had not been possible to prepare as well as we would have liked. We have discussed with this mother how we will try to help improve her situation for the next visit.

Ideally it would be better if all the children could join the main group in Tripoli. It should be easier to plan better support for any mothers who do have to travel to Benghazi in 2009 as there will not be the pre-occupation with the filming as was to a large extent inevitable this year.

The group meetings which took place every other morning after breakfast were a useful way of keeping everybody in touch with each other, for planning group visits, and for general support, and should continue.

We were also unexpectedly assisted this year by Mr Otman Al Magraby, a father who took his daughter back to Libya when she was aged 3 some 20 years ago now, and who has been familiar with the group visits for many years now. He intervened in several situations using all his efforts to gain a reluctant father's co-operation, and helped contribute to the success.

We are most grateful to Wa'atasimo, and particularly to Mr. Ahmad Kajman, Executive Director, for all their practical assistance, and it is our shared desire to continue this Project and enable more mothers and children to benefit from what it can offer.

Once again we must single out our Libyan volunteer, Mr. Muftah El Fagih, for all his efforts throughout the year with the Project, with all the other cases needing our assistance and possible intervention. He is known and recognised by the Libyan Authorities, as well as by some of the Diplomatic Missions there, and will always

assist when asked. It is time that his position in Libya is recognised and rewarded in a more tangible way.

The key to the Project continues to be dialogue. Our experiences this last year have again reinforced our belief that it is important to keep the dialogue alive and going, and that once you have your foot in the door do everything to keep that door open. Hopefully suspicion will begin to disappear allowing the possibility for the trust that has been destroyed, to be rebuilt.

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