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Invisible refugees: protecting Sahrawis and Palestinians displaced by the 2011 Libyan uprising

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Introduction

This article examines the experiences of two Middle Eastern refugee populations (Sahrawis and Palestinians) affected by the 2011 conflict in Libya. Both refugee communities and their political representatives (Polisario Front and Palestine Liberation Organisation (PLO) respectively) have received support from the Libyan government since the 1970s, including through the provision of scholarships to enable refugee children and youth to complete their studies in Libya.

Whilst unexamined by academics to date, thousands of students of both Sahrawi and Palestinian refugee backgrounds have studied in Libya throughout this period, with both groups equally having faced expulsion from the country when political relations between Gaddafi and the Polisario/PLO have been fraught. At the outbreak of the current conflict, it is estimated that over 900 Sahrawi children and youth, 100 Palestinian students, and up to 70,000 Palestinian migrant workers were based in Libya. Their presence in Libya, and both the challenges they have faced since February 2011 and the nature of international responses to these challenges, highlight a range of issues on both conceptual and practical dimensions.

Firstly, given their "voluntary" migration to Libya for educational and/or employment purposes, are Sahrawis and Palestinians to be categorised and conceptualised as "refugees" in Libya? Secondly, whether they are or are not refugees, given that neither population has a "country of origin" or effective diplomatic protection, which state and non-state actors can be considered to be responsible for their protection in this conflict situation? Thirdly, do the "solutions" which have been promoted for Sahrawi and Palestinian refugees to date offer effective protection to these populations, and what protection gaps are revealed through these groups' experiences in the 2011 North African uprisings?

In order to address these matters, the paper is structured as follows. After a brief overview of the methodology underpinning this research, I introduce the scale and nature of displacement which has arisen as a result of the ongoing conflict, highlighting the extent to which certain displaced populations have been hyper-visible whilst others have effectively been rendered invisible to (and by) the international community. I then turn to the case-studies of two of these "invisible" populations, outlining the history of their presence in, and earlier expulsions from Libya, and the extent to which their "voluntary" presence there problematises mainstream conceptualisations of "refugeehood." Despite these conceptual challenges, I subsequently explore a range of historical precedents in which international agencies including the United Nations High Commission for Refugees (UNHCR) and the United Nations Relief and Works Agency (UNRWA) have offered protection to Sahrawi and Palestinian refugees who have engaged in "voluntary" educational and/or economic migration.

Given international commitments to offer a "continuity of protection" to refugees, in the final section of the paper I therefore ask whether Sahrawi and Palestinian refugees who have been internally and internationally displaced by the conflict in Libya have received adequate levels and forms of protection, examining the nature and implications of the "solutions" which have been proposed to date, and one which has yet to be fully activated.

Methodology

Given the total absence of published literature documenting and exploring the Sahrawi-Libyan scholarship programme, the Sahrawi case-study presented in this paper is informed by three primary datasets which I have drawn upon in order to contextualise its development: firstly, reference is made to fifty household interviews conducted in the Sahrawi refugee camps as part of the University of Oxford's research project *Children and Adolescents in Sahrawi and Afghan Refugee Households: Living with the Effects of Prolonged Armed Conflict and Forced Migration* (known as "SARC", see Chatty, 2010)[1]; secondly, I refer to individual interviews which myself and Gina Crivello completed with fifty 7-12 year old Sahrawi children in Spain, also as part of the SARC project; finally, I refer to interviews which I conducted as part of a broader ESRC-funded doctoral research project with Sahrawi youth and adults in three main locations: Syria, Cuba, and the Algerian-based Sahrawi refugee camps. These interviews are supplemented with an analysis of recent Spanish and Sahrawi accounts pertaining to the situation of Sahrawi children and adolescents in the current conflict in Libya.[2]

The Palestinian case-study in turn draws upon published materials and testimonials to contextualise the presence and experiences of Palestinians in Libya from the 1970s onwards, in addition to interviews conducted in 2011 with the relatives of five Palestinians affected by the conflict in Libya, and with a Palestinian family based in Benghazi at the outbreak of the conflict. Telephone and electronic communication with UNHCR and International Committee of the Red Cross and Red Crescent (ICRC) staff working on the identification and protection of refugees affected by the conflict also provided invaluable insight into the challenges facing displaced populations and international agencies alike. An analysis of international agency (primarily UNHCR, ICRC and OCHA) and Palestinian media reports vis-à-vis the situation of Palestinians affected by the conflict in 2011 is also presented throughout.

Displacement and the 2011 Libyan conflict

Following the North African popular uprisings which started in Tunisia in December 2010, anti-government protests in Libya rapidly escalated in February 2011 to a major conflict characterised by widespread attacks between pro- and anti-Gaddafi forces, a NATO-coordinated bombardment of the country, and mass displacement on both international and internal levels. Between February 2011 and 9 May 2011, UNHCR estimates that over 750,000 people, including approximately 267,000 "third country nationals" (i.e. non-Libyans), had crossed from Libya into neighbouring countries; of these, circa 365,000 fled to Tunisia and 270,830 to Egypt (UNHCR No. 24 2011AA, UNHCR 2011CC). A week later, the International Organisation of Migration (IOM) reported that the number of "migrants" fleeing the violence had increased to 803,087, including 271,215 third country nationals; since the outbreak of violence to 16 May 2011, over 136,000 non-Libyans have been "assisted" by IOM and its partners to return to their countries of origin.

[1] I thank Prof. Dawn Chatty for granting me access to the SARC dataset.

[2] A more detailed overview of this case-study, analysing interview extracts, is presented in Fiddian-Qasmiyeh (in progress).

With reference to the scale of internal displacement, in May 2011 the Libyan Committee for Humanitarian Aid and Relief estimated that there were "200,000 internally displaced Libyans in Eastern Libya, of which 58,000 live in spontaneous settlement sites" (UNHCR 2011AA).

Indeed, the conflict in Libya has centralised the multiple forms of migration, mobility, immobility and displacement which characterise the contemporary Middle East and North Africa (MENA), revealing overlapping flows and categories of individuals and collectivities based in the country. These include migrant workers with work permits and those in an irregular status, with such migrants originating from across South-East, East and Central Asia, Sub-Saharan Africa and the MENA region. The diversity of legal statuses held by these migrant workers is reflected not only in whether they hold work permits or are irregular migrants, but also with reference to their legal claims as citizens or refugees: while UNHCR had registered 8,000 refugees and 3,000 asylum-seekers in the country before the conflict (UNHCR 2011DD), thousands more have never registered as asylum-seekers, and yet may have fled a diversity of contexts which would correspond to the legal definitions applicable in Libya and neighbouring countries (the 1969 Organisation of African Unity regional refugee definition and the 1951 Geneva Convention international definition of a refugee).

In line with the above, since the onset of the violence in February 2011, different state and non-state actors have focussed on particular groups which have been internally and internationally displaced: the European media has variously recognised the vulnerability of Libyan and "third country nationals" crossing the Libyan-Egyptian and Libyan-Tunisian borders, whilst drawing on hyperbolic rhetoric vis-a-vis the purported "threat" of a mass influx of Libyans, Tunisians and Sub-Saharan African migrants to European shores (especially to the Italian island of Lampedusa); governments from around the world have focused on evacuating their own citizens from the area, with greater or lesser interest, investment and success; and international organisations and UN agencies including the IOM and the UNHCR have addressed a variety of populations requiring international assistance and protection to reach either their country of origin (in the case of migrant workers) or a safe third country (in the case of refugees and asylum-seekers unable to return to their countries of origin).

While these groups of citizens, migrants and refugees have been centralised by these and other actors, I would argue that certain populations' existence has been overshadowed or even rendered invisible to and by much of the international community. In the remainder of this article, I focus on two of these 'invisible' groups: Sahrawi and Palestinian refugee-students, and Palestinian refugee-migrants. I start by providing a general overview of the presence of these two groups in Libya from the 1970s to 2011.

Sahrawi and Palestinian refugees in Libya

Since the Sahrawi liberation movement, Polisario, established the Sahrawi refugee camps in South-Western Algeria in 1975, thousands of Sahrawi refugee children aged as young as six have left their refugee camp homes to study in Libya on full scholarships provided by Colonel Gaddafi. This has been part of a broader transnational education programme which Polisario developed to overcome the limited educational infrastructure in the refugee camps with the support of "friendly" nations including Libya, Cuba and Algeria (Fiddian-Qasmiyeh 2009a/b, 2010, 2011; Chatty, Fiddian-Qasmiyeh and Crivello 2010):

after Algeria, which provides the largest number of scholarships to Sahrawi refugees, Libya is the second largest educational host for this refugee population (ibid:59).[3]

Although no reliable statistics exist vis-a-vis this programme, the two large datasets underpinning this case-study reflect the proportion of refugees who have participated in this scheme: of 50 camp-based households interviewed by the SARC team, five interviewees had relatives who had studied in Libya (primarily sisters and daughters), while ten women (aged between 33 and 41) and four men (aged between 29 and 37) had left the camps between the ages of six and eight to study in Libya in the 1970s and 1980s; in turn, 16 of the 50 children aged between 7 and 12 interviewed in Spain referred specifically to the Libyan education programme, with 12 girls and 4 boys outlining the experiences of relatives (ranging from parents and aunts to siblings) who had studied there.[4]

It is worth noting that Sahrawi children have not been eligible for primary-level scholarships since 1983, a year which marked a hiatus in the diplomatic and solidarity ties of the Polisario and Libya, following Libya's rapprochement with Morocco in 1983 Arab-African, and the eventual signing of the Moroccan-Libyan treaty of Arab-African Unity in Augutst 1984 (also see Fiddian-Qasmiyeh in progress). Due to this political conflict, Sahrawi children were expelled from Libya in 1984 (35 year-old male SARC interviewee), and the scholarship programme which was eventually reinitiated in the late-1980s (when Libya protested King Hassan's talks with the Israeli Prime Minister in July 1986) was designed solely for secondary and tertiary level students.

Between the 1990s and early-2011, Libya offered scholarships to hundreds of (and at times over a thousand) Sahrawi youth a year. Throughout this period, the majority of students have typically been female,[5] with teenaged girls and young women in their early-20s reportedly accounting for the majority of over 900 Sahrawi refugees who were waiting to be evacuated from Libya at the end of February 2011. In contrast to the late-1970s and early-1980s, when Sahrawi boarding schools were located across the country,[6] in 2011 two boarding schools remained in Tripoli and Benghazi, while other young Sahrawis were studying in Universities across the country (El País 2011; Muñoz 2011).

As suggested above, the presence of Sahrawi refugee students in Libya in 2011 has been largely invisible within the English-language media,[7] while only one reference has been made by international agencies, when the UNHCR noted on 6 March 2011 that the UN refugee agency had been informed of (rather than responsible for) the successful evacuation of 743 Sahrawi refugee children and youth by the Algerian authorities. Indeed, it is notable that, although UNHCR records the number of Sahrawi refugee children and

[3] According to a female Polisario representative who studied in Cuba, in 2003 there were "2,000 students in Libya, 3,000 in Algeria, and 1,400 in Cuba" (Coggan 2003). While the precise figures may have been inflated, the proportion of students appears to be consistent with the information provided by interviewees and my broader research vis-a-vis the Cuban-Sahrawi education programme (Fiddian-Qasmiyeh 2009b, 2010).

[4] 14 young men interviewed in Syria, Cuba and the refugee camps also referred to the different types, and fluctuating nature, of Libya's support, although, given their participation in the Cuban and Syrian education programmes, had not themselves studied in Libya.

[5] Interviews in Syria and Cuba; this is also in line with demographic data from SARC and Madrid Interviews. Also see Fiddian-Qasmiyeh (in progress).

[6] SARC interviews.

[7] Numerous reports, which are unsubstantiated to date and are vehemently refuted by Polisario representatives, have claimed that Sahrawi mercenaries have been contracted by Gaddafi (i.e. SPS 2011b).

youth studying in Cuba (Fiddian-Qasmiyeh 2009b, 2010), UNHCR Statistical Yearbooks and Statistical Overviews have never documented the number of Sahrawi refugees in Libya (UNHCR 1995 – 2009). This raises the question, explored in greater detail below, of whether UNHCR was in fact aware of the presence, number, whereabouts and protection needs of these refugee children and youth.

In contrast to this general invisibility, the Spanish media, including Spain's national newspaper *El País*, has in fact centralised the experiences of Sahrawis in Libya, drawing upon Sahrawi students' testimonials alongside those of Libyan citizens and third country migrant-workers to outline conditions in the country (El País 2011). For instance, the experiences of two Sahrawi young women aged 17 and 19 who had studied in Libya since they were 12 were relayed to/by *El País* through two main news articles (ibid and Muñoz 2011), specifying that:

> All of the Libyan personnel in the centre [the Sahrawi boarding school in Bengazi] abandoned the institution when the conflict started between the security forces and the demonstrators. Not even the cooks remained. They left [the girls], without food, until the people on the street started to feed them out of charity.
>
> Muñoz 2011, my translation

Such a focus demonstrates the extent to which different actors have prioritised the protection needs of different migrant and refugee populations, in this case in part due to former colonial ties (Spain occupied the Western Sahara from 1884 until its departure from the territory in 1976) and broader Sahrawi-Spanish solidarity networks revolving around refugee children (see below and Fiddian-Qasmiyeh 2009a, 2010).

Palestinian refugees in Libya

Predating the Sahrawi-Libyan education programme, Libya offered multifaceted support to Palestinian refugees from the early-1970s, including through opening a PLO office in Tripoli, and offering scholarships for Palestinian refugees to complete their secondary and tertiary studies. At the start of the 2011 conflict, 104 Palestinian refugee-students were attending university and military academies in Libya through the scholarship programme (Ma'an 2011b). Although all of these refugee-students had been evacuated from Libya by early March 2011, at least one Palestinian refugee-student (Khan Younis, from the Gaza strip, had been studying engineering in Misrata University) is reported to have been killed in Libya during the violence, with the particular vulnerability of this cohort of young refugees highlighted by his sister:

> there is a dangerous level of incitement against the Palestinians in Libya [...] the mercenaries of the Qaddafi regime are responsible for several attacks against the Palestinians in the country.
>
> Cited in IMEMC 2011

Other news reports assert that Gaddafi's forces had "detained Palestinians studying at a military college in the northwestern city [of Misuraa] after they refused to join the pro-regime forces" (Ma'an 2011a).

Unlike the Sahrawi refugee-students who all originated from the same location (the Algerian-based refugee camps), Palestinian refugee-students had been habitually resident in a wide variety of countries/territories before travelling to Libya to take up their scholarships: these include Gaza and the West Bank, Egypt, and the main Palestinian host countries in the region (Lebanon, Jordan and Syria). As discussed in detail below, such a diversity of points of "origin" across the MENA region raise a number of difficulties when attempting to secure effective protection for Palestinians facing secondary displacement from Libya.

While Palestinians correspond to a much smaller number of refugee-students than their Sahrawi counterparts, thousands of Palestinian "refugee-migrant-workers" have lived in Libya between the 1970s and the present: accounts documenting the labour migration of Palestinian workers to Libya draw on Palestinian and Libyan statistics to estimate that approximately 5,000 Palestinians were present in Libya in 1970 (Abu-Lughod 1973), 23,759 in 1981 (Smith 1986:90), and 29,207 by the end of 1992 (PRCS 1994:5). With reference to the gender of those present in the 1980s, Tahir draws on Palestinian statistics to estimate that in 1980/1981 there were approximately 14,600 Palestinian males and 9,100 Palestinian females present in Libya (1985:42).

Following the mass expulsion of Palestinians from Libya in 1995-1996 (see below), the number of Palestinians decreased dramatically to approximately 17,000 in 1996 (Al-Majdal 2010), increasing over the course of the following decade to an estimated total of between 50,000 and 70,000 by the beginning of 2011; while these figures are ultimately contested, it is clear that thousands of Palestinians have lived in Libya (either with work permits or in an irregular status) since the 1980s and 1990s.[8]

It is notable that despite the long-standing presence of such significant numbers of Palestinian refugees in Libya, the experiences of Libyan-based Palestinians, and of Palestinians expelled from Libya at different points between the 1970s and the present, should have remained largely unexplored to date.[9] More precisely, none of the existing academic and NGO references pertaining to Libyan-based Palestinians refer to the scholarship programme, while a small number focus on, or refer in passing to, Palestinian migrant-workers. While these "categories" of Palestinians have been under-studied, arguably the most "invisible" status held by Palestinians in Libya is that of "asylum-seeker" or "refugee", with a total absence of academic or policy literature engaging with the existence of Palestinians *as refugees* in the country. Indeed, the cases of what I refer to as Sahrawi and Palestinian "refugee-students" and Palestinian "refugee-migrant-workers", raise a number of pivotal conceptual questions, including the applicability of the term "refugee" in contexts of voluntary economic or educational migration.

[8] OCHA (2011b); telephone interview with Palestinian woman based in Bengazi, 8 April 2011. Witness testimonies refer to attacks on Palestinian households in Benghazi (ibid); further research is required to contextualise the experiences of Palestinian students and migrant workers during different phases of the conflict.

[9] Sirhan and Khaleq 1996/1997, and Al-Majdal 2010 both draw on Sirhan's personal testimony of having lived in Libya for three years in the early- to mid-1990s; Libyan-based Palestinians are mentioned in passim by Shiblak 1996, Kassim 2000, Akram 2002, and Goddard 2010.

Migrants, internally displaced refugees or second-time refugees?

Throughout the conflict in 2011, Palestinian and Sahrawi refugee-students and Palestinian refugee-migrant-workers have variously become "internally stuck refugees" and "internally displaced refugees" unable to leave Libya, while hundreds if not thousands have also experienced secondary international displacement from Libya to Egypt or Tunisia.[10] Two key intersecting questions arise in this respect: firstly, how to conceptualise Libya's role as a "host" country for these groups before the conflict, and, secondly, how to define and classify the status of Sahrawis and Palestinians whilst in, and when attempting to leave, this country.

According to Sirhan, a Palestinian sociologist who lived in Libya for three years before Gaddafi expelled thousands of Palestinians in 1995 (see below),

> Libya *is not a host country* for Palestinians (*i.e. Palestinians are not refugees there*), as is the case with Lebanon, Syria and Jordan; it is rather one which imports skilled labour... therefore the residency of any Palestinian in Libya is based on a personal or individual contract with the state and its institutions, or with Libyan companies or foreign companies operating in Libya.
>
> (Sirhan, quoted in Al-Majdal 2010:44, emphasis added)

In this statement, Sirhan unequivocally asserts that Libya is not a "host country" in the sense of being an "asylum-state" for Palestinians as is the case in other MENA countries, leading us to ask how we might define this hosting location: if it is not an asylum-host-state could it be conceptualised as a "state of employment" or a "state of education", or perhaps even as a "transit state" inhabited between periods in asylum-states in the region?

In the case of Sahrawi children and youth who had been based in Libya for up to a decade, the denomination of Libya as an "educational hosting context" may be accurate given the terms of their presence in the country. Such definitions, however, are particularly complicated in the case of Palestinian workers who have lived in Libya for over twenty years, since Libya was arguably their "place of habitual residence" at the outbreak of the conflict.

However, Sirhan not only argues that Libya is "not a host country for Palestinians," but explicitly claims that "Palestinians are not refugees there". On the one hand, such a claim may be understandable in so far as Palestinians in Libya at that stage had neither applied for asylum in Libya nor been admitted to Libya due to their refugee status per se; as such, Palestinians' legal status in the eyes of the Libyan government was not that of "refugees", but rather that of a "skilled labourers".[11]

[10] In the case of Palestinian refugees, this may in fact have accounted for perhaps even tertiary, quaternary, quinary, or senary displacement (see below).

[11] Whilst unrecognised by Sirhan, broader debates persist within the region vis-a-vis the status of Palestinians in Jordan, Syria and Lebanon: although Sirhan claims that Palestinians *are* refugees in these countries, these and other states (including Egypt) typically refuse to consider Palestinians to *be* refugees: this struggle is noted by Kagan, who recognises that "[Palestinian refugees] are increasingly asking to be recognized as just refugees, full stop" (Kagan 2009:434).

On the other hand, however, the de-classification of Palestinians as "refugees" and their re-classification as "migrant workers" supports a monolithic interpretation of identity and legal status which elides the multiple vulnerabilities and protection concerns held by different groups of peoples in diverse geopolitical contexts. In effect, the de-classification of Palestinians as refugees appears to substantiate the interpretation that refugees who utilise their agency to find employment, or voluntarily migrate to a third country to pursue their educations, automatically risk losing the claim to the label "refugee." This equation has many dangers, including the potential negation of refugees' capacity to be active agents *as* refugees, and more specific practical implications such as potentially losing a variety of rights and types of international protection which (should) accompany refugee status.

In effect, this case-study prompts the broader question of whether refugees who "voluntarily" migrate for economic and educational purposes are "worthy" of international protection. Indeed, as researchers and policy-makers increasingly recognise the blurred nature of categories such as "forced" and "voluntary" migration, and explore the dynamics of the asylum-migration nexus, these refugees embody the overlaps of being legally recognised as refugees under international definitions, and simultaneously being educational/economic migrants who have decided to travel outside of their country of habitual residence or first country of asylum.

The Palestinian and Sahrawi children, adolescents and adults referred to in this article thereby reflect the potential simultaneity of being a "voluntary" and an "involuntary migrant," and of the specific protection needs of those I would refer to as "refugee-migrant-workers" and "refugee-students." Recognising the specificities of these protection concerns is particularly important in light of increasing policy support for migration and mobility as a "fourth durable solution" (see Long 2009 and 2010).

In fact, I would argue that there are multiple reasons for highlighting, rather than negating, the refugee status of Palestinians and Sahrawis in Libya, leading not only to the recognition of the potential simultaneity of being both "forced" and "voluntary" migrants, but also to a new categorisation of "overlapping-refugeeness."

Firstly, from 1996 onwards, UNHCR's statistical unit has documented the total number of Palestinian refugees registered by the agency in Libya, indicating the number of new asylum applications made, and the total number of Palestinians receiving assistance from the organisation. Below, I discuss one key reason underpinning the increased presence of UNHCR registered Palestinians from 1996 to the present.

As evidenced in Table 1, UNHCR has recognised the presence and both protection and assistance needs of thousands of Palestinian *refugees* in Libya, noting that of the 943 Palestinian applications for asylum in Libya in 2008, 544 were offered 1951 Geneva Convention Refugee Status, and 344 were granted complementary protection (63 cases were pending at the end of the year; UNHCR 2009: 117).

	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006 - 2007	2008	2009
Total Palestinian Refugee Population Registered by UNHCR	3281	5752	7252	7602	8500	8585	8604	8787	8873	8873	No data		
New Palestinian Arrivals/ Asylum Applications	1461	1612	350	350	898							943	942
UNHCR Assisted Palestinians	900	400							521				

Table 1: Total Palestinian Refugee Population Registered by UNHCR, New Palestinian arrivals/asylum applicants, and UNHCR Assisted Palestinians in Libya, 1996-2009 (where information is available). Sources: compiled by Fiddian-Qasmiyeh from UNHCR Statistical Yearbooks and Statistical Overviews (1996-2009).

It is worth noting the discrepancies between the figures presented in diverse UNHCR reports, as reflected both in the divergent total populations documented in Tables 1 and 2, and in the apparent inconsistency between the presence of over 8,000 Palestinian refugees registered with UNHCR throughout the 2000s (with the number *increasing* each year between 2000 and 2004/5), and UNHCR's assertion that in 2011 a *total* of approximately 8,000 refugees and 3,000 asylum-seekers *of all* nationalities were registered with the agency. An important question is therefore raised regarding the (in)visibility of thousands of Palestinians *as* refugees based in Libya within statistics pertaining to the contemporary conflict, with subsequent implications apropos protection.

As a brief aside, UNHCR data also provide a pertinent insight into the demographic composition of Palestinian refugees of concern to the agency through its records of new asylum applications in the country at the end of 1996, 1998 and 2000 (Table 2 and Chart 1).

	Total	Females					Males					
		0-4	5 - 17	18-59	60 +	Total Female	0-4	5 - 17	18-59	60 +	Unknown	Total Male
1996	1461	86	43	344	129	602	86	43	43	85		859
1998	620	60	80	140	90	370	50	80	30	90		250
2000	1000	50	150	300	90	590	50	120	100	120	20	410

Table 2: Gender and age of new Palestinian arrivals/asylum applicants where available. Sources: compiled by Fiddian-Qasmiyeh from UNHCR Statistical Yearbooks and Statistical Overviews (UNHCR 1997, 1999, 2001).

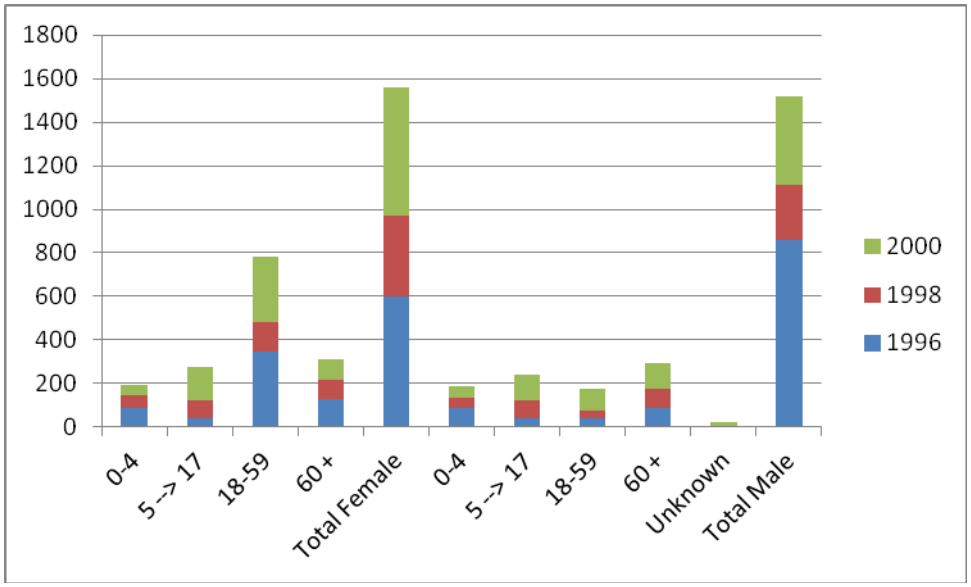

Chart 1: Gender and age of new Palestinian asylum applicants in Libya in 1996, 1998 and 2000. Sources: compiled by Fiddian-Qasmiyeh from UNHCR Statistical Yearbooks and Statistical Overviews (UNHCR 1997, 1999, 2001).

This demographic overview highlights the large number of Palestinian refugee children present in Libya between 1996 and 2000, suggesting that hundreds if not thousands of Palestinian children and youth will have remained in Libya throughout the following decade. Interestingly, the high proportion of Palestinian girls closely mirrors the gender and age of Sahrawi refugee-students based in Libya during the same period. The demographic composition of these populations must also be centralised in an assessment of the protection needs of these individuals, families and groups.

A second reason for highlighting, rather than erasing, these refugees' refugee status per se arises when we recognise that thousands of Palestinians who were born as refugees and were registered by UNRWA *as* refugees at birth in Gaza, West Bank, Lebanon, Syria, Jordan or Egypt, in this instance embody "overlapping refugeedoms," having applied for and having been granted asylum in Libya (as per Table 2). For instance in 1998, UNHCR-Libya received new asylum applications from 350 Palestinians from the Gaza Strip (UNHCR 2000). Just as the UN High Commissioner for Refugees, Antònio Gutteres, argues that Somali, Eritrean and Ivorian asylum-seekers formerly based in Libya who have sought safety in Europe "were refugees twice" (UNHCR 2011 Z),[12] so too can Palestinian refugees attempting to seek sanctuary from the conflict in Libya be categorised as "double refugees" (a phrase used by Sachs, 1989) or as "second time refugees," a term coined by Shiblak (1996:40) to denote the multiple experiences of displacement characterising certain refugee populations.[13]

While the expulsion of Palestinians from Libya in 1995 has been denominated as "secondary displacement," in the case of Palestinian refugees displaced in 2011, this may in fact have accounted for tertiary, quaternary, quinary, or even senary displacement.

[12] This statement was made in relation to the tragic drowning of these individuals: they were "refugees twice" as "they fled war and persecution in their own counties and now, in their attempt to seek safety in Italy, they tragically lost their lives" (UNHCR 2011 Z).
[13] Shiblak invokes this concept to refer to Palestinians from Gaza who were displaced both in 1948 and 1967.

Equally, therefore they may experience secondary, tertiary or quaternary "refugeehood," with overlapping and new vulnerabilities across time and space, and accentuated, rather than erased, protection needs.

Although the overlapping refugeehood of Palestinians explicitly registered as refugees by UNHCR may be particularly clear in this respect, it can equally be argued that such refugee status determination processes do not *make* someone a refugee, but rather offers an official declaration which confirms a legal status/identity in the eyes of states and international organisations (Fiddian 2006). As such, many, although not all, of the Palestinians present in Libya may "be" de facto refugees even if they have not applied for asylum, by virtue of inherently fulfilling all of the legal criteria which would (or *should*, in the absence of procedural errors and the misapplication of law, see ibid) lead to an official declaration of their de jure refugee identity.

A third reason for arguing that Sahrawi and Palestinians' refugeehood should be centralised in spite of the "voluntary" nature of their economic and/or educational migration to Libya, in turn leading to the implementation of proactive protection mechanisms, derives from examples of the ways in which the UN has addressed the protection needs of both of these groups in the past.

Precedents of protection (and histories repeating themselves):

Two key examples centralise the continuity of "refugeehood" and the need for international protection in contexts of so-called voluntary migration. The first pertains to the UN's active involvement in monitoring the protection situation of Sahrawi youth who have engaged in voluntary educational migration to Cuba, and yet have continued to be considered refugees in need of protection by UNHCR throughout their time studying in the Caribbean (interview, UNHCR official, Habana, November 2006).

Throughout the 1970s and 1980s, the Cuban government was entirely responsible for these refugee children, whilst not categorising them *as* refugees during their stay in the island, but rather considering them to be Sahrawi students holding Sahrawi "citizenship."[14] However, since 1994, the Cuban government (facing major difficulties as a result of the US-led Embargo, and the fall of the Soviet bloc) explicitly requested that UNHCR become involved in overseeing the arrival and presence of Sahrawi children to the island. Since then, whilst explicitly noting that Sahrawi children are present *voluntarily* in the island, UNHCR has supervised the protection situation of Sahrawi children in Cuba, providing a small stipend to all students in addition to regularly monitoring their situation and publishing Information Notes confirming that they are being treated in accordance to international standards of treatment and care, as required by the 1989 Convention on the Rights of the Child (UNHCR 2003 and 2005; also see Fiddian-Qasmiyeh 2010a).

The second example is the most pertinent in light of the current conflict, and corresponds to the main reason for the dramatic increase in the number of Palestinians applying for asylum after 1996.

[14] Since Cuba has full diplomatic relations with the Sahrawi Arab Democratic Republic (the Sahrawi state-in-exile whose birth was declared in 1976), Sahrawi are considered to be citizens of this "state", rather than "refugees" per se (also see Fiddian-Qasmiyeh 2009a).

As a means of protesting the Palestine Liberation Organisation's signing of the Oslo Accords, in September 1995 Gaddafi threatened to expel all of the estimated 30,000 Palestinian "migrant workers" based in Libya at the time.[15] It is estimated that 13,000 Palestinians were deported over the course of the following eight months, with 17,000 reportedly remaining in the country by May 1996 (Al-Majdal 2010:47). In September 1995, the Salloum border saw the establishment of *Mukhayam Al-Awda* (the Return Camp) by Gaddafi's forces; with 32 Palestinians stranded in the "Egyptian-Libyan no-man's land" in September 1995, by October 1995 approximately 900 Palestinians were stuck at the border, and over 200 remained by January 2006, unable to leave Libya and enter Egyptian territory (Al-Majdal 2010:47 and Goddard 2010:502).

Unlike the 2011 conflict, which has seen Palestinians proactively attempting to leave Libya in order to escape the violence, in 1995-1996, a large proportion of Palestinian "migrant workers" were forcibly collected, transported and deported by Gaddafi's forces; by the end of September 1995 alone, 1,500 Palestinians had been transported to the Tubrok Camp in the north-east of Libya, in preparation of deportation by land (via the Salloum border) or sea (Al-Majdal 2010:47).

Indeed, over 600 Palestinians with Syrian and Jordanian identity documents were expelled by sea and were eventually collected by a Syrian ship (having initially been refused permission to land in Cyprus), leading to 608 Palestinians returning to Syria and 13 to Jordan (Al-Majdal 2010:47). However, in addition to major challenges in crossing into Egypt even when holding Egyptian travel documents (ibid: 46-47 and Shiblak 1996:40), and restrictions on entering Gaza (with 36 Palestinians stuck at the Rafah crossing in September 1995 alone),[16] most countries in the region under UNRWA's area of operations introduced further "restrictions on the entry of Palestinians, even on those who had right of residence" (Al-Majdal 2010:47).

The Lebanese authorities, for instance, issued Decree No. 478 which entered into effect on 10 September 1995, requiring that all Palestinians who had been refugees in Lebanon from 1948 obtain an exit visa from Lebanon and an entry visa from Lebanese diplomatic missions (Kassim 2000:216): both of these bureaucratic procedures were evidently impossible for Palestinians forcibly taken to the border, and, as noted by Kassim, "these measures are, in effect, a nullification of [these Palestinians'] residence and travel rights" (ibid; also see Shiblak 1996:40; and Al-Majdal 2010:47).

Facing such hostile environments on both sides of the Libyan border, in 1995/1996 thousands of Palestinians recognised that they were simultaneously "internally stuck," unable and unwilling to attempt to access other UNRWA states, and ultimately in need of international protection. Noting their effective statelessness (Al-Majdal 2010:47; Shiblak 1996:44) and their inability to return to a safe "country of origin" or alternative "location of habitual residence" in the region, thousands of Palestinians applied for asylum within Libya.

Throughout this period, despite considering Palestinians to have originally been voluntarily present in Libya as "migrant workers," "UNHCR provided assistance to those

[15] "[A]s per a census conducted by the Libyan Foreign Security Agency in 1995... the number of Palestinians in Libya stood at 30,000" (Sirhan 2010:45).
[16] Similar restrictions were faced by Gazans with Egyptian identity documents following the mass expulsions after the Gulf War (Al-Majdal 2010:46-47).

at the [Egyptian-Libyan] border and monitored their situation until they were allowed to return to Libya in 1997" (Goddard 2010: 501-502). On 29 September 1995, UNHCR and UNRWA issued a joint statement on the Forced Movement of Palestinians from Libya (cited in Al-Majdal 2010:47), corresponding to the first time that the two UN refugee agencies had "issued a joint press release on a matter of mutual concern" (Goddard 2010:504). In addition to lobbying neighbouring countries to allow Palestinians holding valid documentation to enter their former-host states, as noted above, UNHCR in turn witnessed an increased number of applications for asylum from Palestinians in Libya who had a well founded fear of attempting to relocate within the region. UNRWA's involvement in working with UNHCR to maximise the granting of effective protection to Palestinians in 1995/1996 raises questions regarding the organisation's absence in 2011.

Following the 1995-1996 mass expulsions, an unknown number of Palestinians eventually returned to Libya in search of work, but found themselves in a highly tentative and uncertain situation; thousands reportedly stayed in an irregular status, fearful of renewing their work permits and engaging with the Libyan authorities.[17] Such fears are grounded in an acute awareness of the vulnerability of Palestinians in the country, as the 1995-1996 episode was neither the first nor only instance of Palestinian expulsion from Libya: hundreds of Palestinian migrant-workers were expelled in March 1971 (Otman and Karlberg 2007:36), while more recently, in March 2007, Gaddafi had once again threatened to deport all Palestinians "in retaliation for the latest Arab peace initiative" (Nahmias 2007).

This example therefore illustrates the extent to which UNHCR has an established history of engaging in protection activities for populations with overlapping statuses as "voluntary" and "involuntary" migrants, in addition to highlighting the ongoing vulnerability experienced by Palestinian refugees in the region.

Continuity of protection: what, where and who?

Following the outbreak of conflict in Libya in 2011, a number of "solutions" were sought and implemented by members of the international community for these "invisible" refugee populations formerly based in Libya. When examining the situation, two main intersecting questions arise: what can be considered to be "effective protection," and who can be considered to hold a responsibility to protect these populations: the refugees' political representatives (the Polisario and PLO/Palestinian Authorities respectively), UNHCR, UNRWA (in the case of Palestinians), the international community, or former and current host countries?

Protecting Sahrawi refugees

In the context of the relatively small total number of Sahrawi refugees (approximately 900), and the existence of one, active "asylum host" state (Algeria), evacuating Sahrawi refugees from Libya has appeared to be more feasible than offering protection to up to 70,000 Palestinians previously based across the region. In this instance, on 7 March 2011 the Sahrawi Press Service reported the return of "some 916 Sahrawi students who pursued

[17] Telephone interview, Benghazi resident, April 2011; personal communication, relative of Palestinian refugee in Tripoli, April 2011.

their secondary and university education and vocational training in Libya" to the Sahrawi refugee camps on 5 March (El-Hafed 2011). They were informed by the Sahrawi Minister of Education, Mariem Salek Hmada, that

> All the Sahrawi students in Libya, including girls, arrived safe and healthy in the Sahrawi refugee camps... The students have been *repatriated* under good conditions and without incident.
>
> ibid, emphasis added

The evacuation of Sahrawi children from Libya by the Sahrawi's *host* state, Algeria, and their "repatriation" to the refugee camps leads us to ask: to what extent can protection needs be considered to be upheld when refugee children who have experienced secondary displacement by armed conflict are returned to a desert-based refugee camp? Can return to a refugee camp be considered to be a "solution" in such a context? Furthermore, given that "repatriation" refers to the return of an individual or group to her/his *country of origin* (the Latin prefix *re-* indicating a movement "back" and *patria* meaning "native land"), is it appropriate to use such a term in this context? If "repatriation" is not considered to be appropriate or accurate (since the refugee camps are not these children's "country of origin"), what alternative conceptualisations exist to capture such complex dynamics? These issues require further investigation, drawing on both Sahrawi refugees' and UNHCR's perceptions of "safety," "effective protection" and "solutions."

Another set of questions pertains to the responsibility of diverse actors to offer these children international protection. As indicated above, the Sahrawi students were ultimately evacuated by the Algerian authorities, who reportedly liaised with Polisario to enable the children's return to their host state. However, it is notable that Spanish civil society also played a highly active role in lobbying Polisario to push for the children's evacuation: with Spanish families hosting up to 10,000 Sahrawi children a year as part of the Holidays in Peace programme (Crivello and Fiddian-Qasmiyeh 2010), and with many of these children having subsequently travelled to Libya to complete their secondary and tertiary studies, Spanish civil society established numerous campaigns to mobilise public and political support[18] for the evacuation of these children and adolescents, including blogs such as http://www.saharaponent.net/2011/02/estudiantes-saharauis-en-libia.html which actively traced the whereabouts of Sahrawi refugee children in Libya, disseminating information to interested Spanish individuals and families, and sharing opinions regarding Polisario's management of the crisis.

Such initiatives were directly engaged with by Polisario in numerous ways. For instance, shortly after the outbreak of violence, the Polisario representative to Madrid is reported to have stated that: "the Sahrawi adolescents who are study in Libya are 'safe'", reiterating that "the Sahrawi authorities have not considered an evacuation plan 'yet'" (quoted on www.publico.es, my translation); these statements were made as a "response" to the "concerns demonstrated by various Spanish families who, years ago, hosted some of these young Sahrawis when they were children" (ibid). In this instance, Spanish civil society therefore felt a responsibility not only to trace the situation of Spanish citizens affected by the conflict in Libya, but also that of one particular refugee group with whom they have a long-standing connection. Despite their initial dismissal of an evacuation plan, Polisario

[18] On Spanish civil society's "responsibility" to protect Sahrawi children and women, see Fiddian-Qasmiyeh 2010a and 2011.

ultimately secured the evacuation of these children and adolescents; whether pressure applied by Spanish civil society played a role in securing this outcome, and precisely how Polisario and Algeria negotiated this "solution", remains to be explored.

Upon the children's departure, UNHCR reported that they have been "informed" of the evacuation of 753 Sahrawi from Benghazi on an Algerian boat.[19] This in turn leads us ask why UNHCR was "informed" rather than more proactively involved in (if not solely *responsible for)* their evacuation? Indeed, given that no UNHCR statistical or annual reports record the number of Sahrawi refugee children in Libya (unlike the detailed statistics vis-a-vis Sahrawis in Cuba), to what extent was UNHCR in fact aware of the presence, whereabouts, total number and protection needs of these refugee children in Libya? Whilst noting that UNHCR's office in Tripoli had been forced to suspend its operations twice in June 2010, and its "engagement on protection issues in the country [was] fragile" (UNHCR 2011 Global Update: 89), beyond its operational capacity, a broader question is whether UNHCR considers itself to be responsible for the protection of these refugees, as they have in the past in the case of Cuban-based Sahrawi students.[20]

Protecting Palestinian refugees

Although the presence of Sahrawi refugees in Libya had remained largely unnoticed by the international community until their evacuation in April 2011 (with the exception of Spanish audiences), the UN, United States Department of State (USDOS) and OCHA regularly documented the numbers of Palestinians attempting to cross the Libyan-Egyptian border, those prevented from doing so, and those evacuated to a number of contexts. UNHCR frequently included such details under the "protection" heading of its reports, denoting its concern Palestinians displaced by the conflict, and, in one instance (Update No. 16, dated 4 April 2011) including a photograph with the caption: "UNHCR staff talks to a Palestinian family stranded at the Egyptian-Libyan border".

Table 3 offers a summary of the figures provided by international organisations between 1 March 2011 and 25 April 2011. As in 1995-1996, this table highlights the extent to which the Salloum border has once again witnessed mass population movements, and major restrictions of Palestinians' attempts to cross the Libyan-Egyptian border to seek safety. The figures provided by international agencies are, however, limited, reflecting inconsistencies between agencies (OCHA and UNHCR figures are widely divergent for 12 April and 19 April, for instance), and failing to systematically refer to the demography of the Palestinians affected (i.e. gender, age and family structure).

The data presented by these agencies fails to elucidate precisely how many Palestinians have "successfully" left Libya, and how many, and who (i.e. gender, age and point of origin) have remained internally stuck and why. While such an examination is beyond the scope of this article (largely due to an absence of reliable data), in the following section I offer a preliminary assessment of the "solutions" which have been implemented and suggested to date.

[19] No further details are available to confirm which of the two numbers of Sahrawi evacuees reported by Polisario (916) or to/by UNHCR (753) is correct.

[20] Although beyond the scope of this article, I would argue that this case-study parallels a broader disconnect between Sahrawi refugees and the UN agency, as embodied in UNHCR's absence from protecting Sahrawi refugee girls reportedly "abducted" by their birth-families whilst fostered in Spain (Fiddian-Qasmiyeh 2010a and 2011).

Date	Location	Number of Palestinians "stuck" in location	"New arrivals" to specified location	Number of Palestinians "evacuated"	Number of Palestinians "pushed back"	Source
01-Mar	Salloum	41			33	UNHCR 2011b
02-Mar	Salloum	46	5		13	UNHCR 2011b
07/08-Mar	Salloum		7			UNHCR 2011g
08-Mar	Musa'ad	35				UNHCR 2011f
11-Mar	Salloum	7				UNHCR 2011h
14-Mar	Salloum			5 Salloum → Egypt		UNHCR 2011i
16-Mar	Salloum	33				UNHCR 2011k
17-Mar	Salloum					UNHCR 2011 l
18-Mar	Salloum			60 Salloum → Egypt		OCHA 2011b
19-Mar	Salloum	49				OCHA 2011b
20-Mar	Salloum	6			34 (repatriated to Gaza)	UNHCR 2011n
31-Mar	Ras Jadeer	42 (5 families)				PRCS 2011
04-Apr	Salloum	27				UNHCR 2011q
06-Apr	Salloum			82 Salloum → Egypt		USAID 2011a (IOM data)
07-Apr	Salloum	27				UNHCR 2011r
12-Apr	Salloum	± 150				OCHA 2011a
12-Apr	Salloum	27				UNHCR 2011s
15-Apr	Salloum	27				UNHCR 2011t
18-Apr	Salloum			60 Salloum → Egypt		OCHA 2011b
19-Apr	Salloum	49 ("mostly families")				OCHA 2011b
19-Apr	Salloum	27				UNHCR 2011u
24-Apr				6 Salloum → Egypt		USAID 2011b (IOM data)
25-Apr	Benghazi transit camp	"including 40 Palestinian and Libyan families"				USAID 2011b

Table 3: Summary of numbers of Palestinians "stuck" at given borders, "new arrivals," "evacuated" to and "pushed back" by Egypt, where information is provided by international agencies. Sources: compiled by the author from UNHCR Updates, OCHA, USAID and PRCS. Where UNHCR figures are different from those quoted by OCHA, the entry is italicised.

Firstly, with reference to the evacuation of Palestinian students from Libya, the Palestinian Ambassador in Tripoli (Atif Mustafa Auda) informed the media that by 6 March 2011 all 104 Palestinian refugee-students who were attending university and military academies in Libya at the time had been evacuated from the country (Ma'an 2011b). While the Palestinian Ambassador is cited as declaring that the evacuation of the Palestinian students had been ordered by Palestinian President Mahmoud Abbas (Ma'an 2011b), the students themselves have contested this account, claiming that the Palestinian Authority failed to evacuate the students, with Jordan having reportedly offered to transport them alongside their own citizens, even if they did not hold Jordanian Travel Documents (Ma'an 2011a and 2011b).

It must be acknowledged that the Palestinian Authorities, like Polisario, has limited resources, as stressed by Nidhal Abu Dukhan (the Palestinian military intelligence director) to Ma'an News Agency, which reports that "[he] added that the Palestinian did not have the capabilities to evacuate its nationals, as other countries have done" (Ma'an 2011a). A comparison of the ways in which Polisario and Algeria on the one hand, and the Palestinian Authorities and Jordan on the other, have addressed the protection needs of their respective "refugee populations" would offer a fruitful opportunity to explore the interactions between refugees, their political representatives, and states which may or may not consider themselves to have a responsibility towards these populations.

Secondly, while all Sahrawi refugees were evacuated by one international actor (the Algerian government) to one location (their Algerian-based refugee camps), precisely where Palestinian refugees should, could, or might want to be safely evacuated to, and by whom, is a much more complex issue. Especially in the case of those Palestinians who had been registered by UNHCR or had been offered refugee status or complementary protection, but also vis-a-vis the tens of thousands of "refugee migrant workers" for whom Libya has been their country of habitual residence for up to, and sometimes over, twenty years, can the international community either expect, or indeed responsibly allow, Palestinians to "return" to Gaza, the refugee camps in Lebanon, or the explosive situation in Syria, all of which are locations which the UK's Foreign and Commonwealth Office specifically indicates are dangerous and should be avoided by British citizens.

The viability of a refugee camp setting providing effective protection thus emerges in both the Sahrawi and Palestinian contexts; equally, paralleling the critique of references to Sahrawis' "repatriation" to the Algerian-based camps, the conceptualisation of Palestinians' "return" to Gaza, for instance, is immediately problematised by the recognition that most of the 48 Palestinians who arrived in Gaza on 23 April "have been Palestinian refugees working in Libya, few have ever visited Gaza" (Ma'an 2011c).[21]

Proposals for Palestinians to be "returned" or "resettled" within the region are highly problematic given historical and contemporary restrictions on Palestinians' movement, and, arguably, the impossibility for Palestinians to effectively locally integrate in host countries in a way which is consistent with international human rights frameworks. Indeed, it is worth recalling that in the context of the 1995-1996 crisis, Gaddafi explicitly justified his actions as follows:

[21] Further challenges emerge with reference to family unity and family reunification, since the members of a given Palestinian family may hold travel documents or passports from different and distant countries, or no travel document or identity document at all (see Shiblak 1996:44; PRCS 2011; Ma'an 2011 d/e/f; OCHA 2011c).

> And as I care about the Palestinian cause, and in order to achieve the best interest of Palestinians, I will expel the thirty thousand Palestinians who currently live in my land, and *try to secure their return to Gaza and Jericho*. If Israel would not let them in, while Egypt does not allow them to pass through its territories, then I shall set a great camp for them on the Egyptian-Libyan borders [i.e. Salloum].
>
> quoted by Sirhan in Al-Majdal 2010:46, emphasis added

In line with Gaddafi's (highly paradoxical) conceptualisation of "protection", Palestinians' expulsion from Libya is presented as a means of securing "their return to Gaza and Jericho," with the name of the "great camp" established at the Salloum border clearly centralising the Palestinian right of return: *Mukhayam Al-Awda* (the Return Camp). In effect, Gaddafi's strategy in 1995-1996 was ostensibly to draw attention to Palestinian's *inability* to return to Gaza and Jericho, utilising the mass concentration of highly visible Palestinians at the border to challenge the political status quo.

It could be argued that the current crisis, which has not been orchestrated by Gaddafi but is equally characterised by thousands of Palestinians' inability to cross the Libyan borders to Tunisia or Egypt, even when holding valid travel documents, visibly demonstrates the ongoing vulnerability faced by Palestinians in the region, for whom the parallel processes of conflict-induced displacement and conflict-induced immobility, whilst characterised by an unprecedented degree of violence, may be experienced as an instance of history repeating itself, yet again.

Alternative solutions: resettlement?

In light of the major difficulties in securing effective protection for Palestinian refugees within the Middle East and North Africa, as indicated both through the historical examples explored above, and given current and ongoing political instability across the region, considering resettlement outside of the region as a possible solution for Palestinians affected by the Libyan conflict appears pivotal. Indeed, Palestinian refugees' inability to "locally integrate" into host countries in the region, and the constant fluctuation and intensification of vulnerability experienced, have previously justified the resettlement of Palestinians to third countries outside of the region, as evidenced in the precedent of the resettlement of ex-Iraqi Palestinian refugees "stuck" at the Iraqi-Syrian and Iraqi-Jordanian borders (ie see Goddard 2010:502).[22] However, in the case of Iraqi Palestinian refugees, between 2006 and 2008 only 381 Palestinian refugees were resettled from the Syrian and Jordanian borders with Iraq, during which period they and several thousand other Palestinian refugees were "stuck" in one of three camps on the border (UN News Centre 2010; also see Jordan 2009).

Ensuring that the delays experienced by Iraqi Palestinians are not repeated must be prioritised in light of UNHCR's renewed statements vis-à-vis the "the need to identify solutions to resettle some 1,000 third country nationals (mostly Iraqis and *Palestinians*) at Libya's borders with Egypt and Tunisia who do not wish to return to their countries" (OCHA, 2011, emphasis added); despite such statements it is worrying that references to

[22] In 2003, the UNHCR estimated that the total population of Palestinians in Iraq was 34,000, with 23,000 of these having registered with the UN refugee agency (UNHCR 2006).

resettlement rarely explicitly refer to Palestinians and include figures which underestimate the overall population for whom resettlement potentially emerges as the only viable means of securing an *effective* durable solution.

Precisely who will be prioritised for resettlement, by whom and how soon, remains to be explored, as will the inevitable challenges which will be presented by state and non-state actors who reject even the prospect of the resettlement of Palestinians outside of the region. A balance must therefore be achieved and maintained between the individual and collective protection needs of Palestinian refugees, and the geopolitical interests of diverse actors including Middle Eastern and North African states, the Palestinian Authorities, international organisations such as UNHCR and UNRWA, and potential resettlement states themselves. While concerns will invariably be raised that resettlement outside of the region would jeopardise Palestinians' right of return, it is essential that Palestinians themselves have the opportunity to take decisions vis-à-vis the best means to secure effective protection for themselves and their families, rather than having decisions and "solutions" presented by diverse actors on their behalf.

Conclusion

This article has explored the challenges faced by Sahrawi and Palestinian refugees who were studying and working in Libya at the start of the conflict in February 2011, and the nature and implications of the international community's responses to these challenges. On a conceptual level, this article has examined whether refugees who engage in "voluntary migration" can reasonably be classified as having lost their claims to the refugee label (as appears to be argued by Sirhan, *op cit*), or whether a new framework of "overlapping" and "multiple" refugeehoods may be more appropriate.

Having outlined a range of historical and contemporary scenarios of mass expulsion and conflict-induced displacement within and from Libya, in addition to highlighting the "overlapping invisibility" of Sahrawis and Palestinians *as refugees* in Libya throughout the 1990s and 2000s, I have argued that refugees' agency in developing mobile educational and livelihood strategies may be paralleled by fluctuating vulnerabilities arising from local, national or international conflicts. In order to recognise the potential simultaneity of refugees' agency and a range of overlapping vulnerabilities, I have argued in favour of new hyphenated categories including "refugee-student" and "refugee-migrant-worker", whilst also noting the extent to which refugees may become "internally displaced refugees" unable to leave conflict situations such as Libya.

The particular difficulties and dangers experienced by "refugee migrants", including refugee children and youth engaging in educational migration or accompanying their "refugee-migrant-worker families", raises particularly important questions apropos the viability of mobility itself being proposed by policy-makers as a feasible "durable solution" for refugees. Indeed, the case-studies examined in this article illustrate the urgency of assessing the protection mechanisms in place to support refugees who "voluntarily" migrate for economic and educational purposes. Such an assessment must ultimately include an evaluation of which state and non-state actors could or should accept the responsibility to protect diverse refugee populations, precisely which "solutions" can be considered to be appropriate and effective in addressing (rather than reproducing) protection gaps, and how refugees' own preferences can be taken into account throughout decision-making processes.

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