



**Libya - Researched and compiled by the Refugee Documentation Centre of Ireland on 30 September 2009**

**Treatment of Palestinian declared refugees in Libya.**

According to a report from the *United States Committee for Refugees and Immigrants* under the heading 'Law and Policy', subheading 'Refoulement / Physical Protection', it is noted:

"Libya is not party to the 1951 Convention relating to the Status of Refugees or its Protocol but is party to the 1969 Convention governing the Specific Aspects of Refugee Problems in Africa. It also endorses the 1965 Protocol for the Treatment of Palestinians in Arab States (Casablanca Protocol) but with reservations on its first article guaranteeing the right to work on par with nationals. A 1989 law grants Arab citizens the same rights granted to Libyans. Although the 1969 Constitutional Proclamation prohibits the extradition of "political refugees" and the 1991 Endorsement of Freedom Law offers "shelter for oppressed people and those struggling for freedom," Libya has no law on granting refugee status and the Government claims there are no political refugees in the country (its constitutional law prohibits the extradition of "political refugees")" (United States Committee for Refugees and Immigrants (17 June 2009) *World Refugee Survey 2009 - Libya*)

Under the heading 'Right to Earn a Livelihood' the same report continues:

"Libya has no law allowing refugees to work. It maintains a reservation to the article of the 1965 Casablanca Protocol that would grant Palestinian refugees the right to work on par with nationals and instead offers parity with other Arab citizens.

Law 6 of 1987, amended by Law 2 of 2004, requires foreigners, without exception for refugees, to have contracts with employers in order to work, proof that Libyans cannot fill the positions, health certificates verifying that they have no contagious diseases including HIV/AIDS, and registration with tax authorities.

In general, refugees do not have the right to run businesses, obtain necessary licenses, or own property, but the Government allows a few Palestinian and Iraqi refugees to run businesses." (ibid)

Under the heading 'Public Relief and Education' it adds:

"Palestinian refugees receive free health services and education from the Government, while other refugees receive health services through UNHCR." (ibid)

Page 25 pf a September 2006 *Human Rights Watch* report notes:

"In August 1995, to protest the Oslo accords between the Palestine Liberation Organization and Israel, al-Qadhafi ordered the expulsion of some 30,000 Palestinians from Libya to Palestinian self-rule areas in the West Bank and the Gaza Strip.<sup>54</sup> The Libyan government requested UNHCR to assist roughly one thousand of these refugees who it had stranded in a desert camp in Libya near the Egyptian border.<sup>55</sup> One legacy of this episode is that Palestinians make up the largest group of refugees registered with the UNHCR Tripoli office today. In October 1995, al-Qadhafi invited the Palestinians back and today the government provides Palestinian refugees free education and health care." (Human Rights Watch (September 2006) *Stemming the Flow: Abuses Against Migrants, Asylum Seekers and Refugees*)

Page 27 of the same report continues:

"Despite restrictions on its work, as of April 2006, UNHCR Tripoli had registered 12,166 mandate refugees, including the rejected cases. From this group, 8,873 were Palestinians. The rest included approximately 1,500 Somalis, 100 Liberians, 100 Sierra Leoneans and individuals from Eritrea, Ethiopia, Sudan and other countries.<sup>63</sup> According to UNHCR, the Tripoli office has lost contact with some of these registered refugees after they left Libya or were repatriated by the Libyan government." (ibid)

A September 2006 report from the *UNHCR* states:

"The objective set by UNHCR Tripoli for 2007 will be to integrate the refugees into the relevant development programs (health, education, etc.) in conjunction with the relevant line departments as well as UN Agencies (WHO, UNICEF and UNDP). Moreover, efforts will continue to be deployed to ensure free access for refugees to local health and education facilities, as already obtained for Palestinian refugees." (UNHCR (1 September 2006) *UNHCR Country Operations Plan 2007 - Libyan Arab Jamahiriya*)

A May 2006 report from the *United States Committee for Refugees* states:

"Approximately 9,000 Palestinians lived in Libya as refugees registered by the UN High Commissioner for Refugees (UNHCR). The Libyan government estimated that the actual number of Palestinian refugees was about 30,000. During 2002, some 1,000 Palestinians deemed vulnerable by UNHCR received a monthly living stipend, medical assistance, and skills training." (United States Committee for Refugees and Immigrants (29 May 2003) *Liberia, Libyan Arab Jamahiriya, Malawi, Mali, Mauritania, Mozambique, Namibia, Nigeria, Rwanda, Senegal, Sierra Leone: "World Refugee Survey 2003"*)

A 1996 *BBC News* report, citing another report from *Al-Quds al-Arabi* newspaper states:

"Libyan leader Mu'ammr al-Qadhafi yesterday issued official instructions to compensate all Palestinians in Libya for the damage inflicted on them directly

or indirectly as a result of the authorities' decision to return them to the self-rule areas in the West Bank and the Gaza Strip.

Libyan sources have told 'Al-Quds al-Arabi' that the instructions include paying the Palestinians the wages they have not received, returning them to their accommodation and giving them priority with regard to jobs and housing." (BBC Summary of World Broadcasts, 'Al-Quds al-Arabi', London, in Arabic 2 Oct 96 (4 October 1996) *Libya stops deporting Palestinians, promises them compensation*)

Page 29 of a report from *Refugees International* states:

"Palestinians in Libya live under threat of deportation, physical attack, humiliation, arrest, and are denied the rights to work and travel as well as other basic rights. There are no precise statistics on Palestinians in Libya, but in the mid 1990s, it was estimated that 20,000 remained after the mass deportation in the summer of 1994. The majority of these Palestinians came in 1970s seeking work opportunities. They are denied the rights to housing, work, and education." (Refugees International (2005) *Lives on Hold: The Human Cost of Statelessness*)

A newsletter published in 1996 by the *Shaml Palestinian Diaspora and Refugee Centre* refers to the treatment of Palestinians expelled from Libya as follows:

"As a result of Libya's denial of Palestinians' rights to reside legally in Libya, Palestinians are not able to rent houses owned by the government. Additionally, they became unable to own or use vehicles which had previously belonged to them." (Shaml Palestinian Diaspora and Refugee Centre (December 1996) *Palestinians in Libya – The Agony of Exile*, Newsletter No. 5)

This newsletter refers to alleged attacks on Palestinians, stating:

"This situation made Palestinians vulnerable to exploitation on the illegal labor market and to attacks by the various governmental and security agencies. This is what stands behind the increase in attacks on them by officials and members of the so-called 'Revolutionary Committees' affiliated to the security agencies. Members of these committees attack Palestinians' houses at night on a daily basis, evicting the families and leaving them homeless. Last August there were many cases of beatings, deportation and arrest. Other families were forced to choose between leaving the houses in which they had been living or sending some family members to join the other 200 Palestinians at 'the return camp', also known as al-Salloum, on the border with Egypt." (ibid)

This newsletter also comments on the denial of education to Palestinians as follows:

"For the past three years it has not been possible for Palestinians to continue their higher education at Libyan universities, and those who already enrolled in universities have been forced to pay heavy fees, up to 1,500 Libyan dinars, including fees for previous years of study. Faculties have been ordered not to

issue certificates to Palestinians who have completed their studies unless all fees due have been paid.” (ibid)

The newsletter continues with comments on health care for Palestinians, adding:

“Palestinians have been denied access to government health care institutions and they now have to pay unaffordable fees for their medical treatment. The travel documents of those who cannot pay their medical treatment fees are confiscated.” (ibid)

The same newsletter also adds:

“Palestinians in Libya live under constant threat of deportation, physical attack, humiliation and arrest, and are denied the rights to work and travel as well as other basic human rights. During the past three years, these Palestinians lived on savings. Many families have now exhausted their savings and are on the brink of starvation. These Palestinians are in fact hostages in Libya because their Egyptian travel documents do not entitle them to reside anywhere or to enter Egypt. No country is willing to issue them with visas and all neighboring states, namely Egypt, Tunisia, Algeria and Malta, do not allow them to cross their territory.” (ibid)

## References

BBC Summary of World Broadcasts, 'Al-Quds al-Arabi', London, in Arabic 2 Oct 96 (4 October 1996) *Libya stops deporting Palestinians, promises them compensation*

<https://www.lexisnexis.com>

(Accessed 12 October 2009)

Human Rights Watch (September 2006) *Stemming the Flow: Abuses Against Migrants, Asylum Seekers and Refugees*

<http://www.hrw.org/reports/2006/libya0906/libya0906webwcover.pdf>

(Accessed 12 October 2009)

Refugees International (2005) *Lives on Hold: The Human Cost of Statelessness*

[http://www.reliefweb.int/rw/lib.nsf/db900sid/LHON-69MDDZ/\\$file/Stateless\\_RI\\_Feb\\_2005.pdf?openelement](http://www.reliefweb.int/rw/lib.nsf/db900sid/LHON-69MDDZ/$file/Stateless_RI_Feb_2005.pdf?openelement)

(Accessed 12 October 2009)

Shaml Palestinian Diaspora and Refugee Centre (December 1996)

*Palestinians in Libya – The Agony of Exile* Newsletter No. 5

<http://prrn.mcgill.ca/prrn/papers/shaml5.html>

(Accessed 12 October 2009)

UNHCR (1 September 2006) *UNHCR Country Operations Plan 2007 - Libyan Arab Jamahiriya*

<http://www.unhcr.org/home/RSDCOI/45221c0e2.pdf>

(Accessed 12 October 2009)

United States Committee for Refugees and Immigrants (29 May 2003) *Liberia, Libyan Arab Jamahiriya, Malawi, Mali, Mauritania, Mozambique, Namibia, Nigeria, Rwanda, Senegal, Sierra Leone: "World Refugee Survey 2003"*  
[http://www.refugees.org/data/wrs/03/country\\_reports/AF3LiberiaToSierraLeone.pdf](http://www.refugees.org/data/wrs/03/country_reports/AF3LiberiaToSierraLeone.pdf)

(Accessed 12 October 2009)

United States Committee for Refugees and Immigrants (17 June 2009) *World Refugee Survey 2009 - Libya*  
<http://www.unhcr.org/refworld/country,...LBY..4a40d2acc.0.html>

(Accessed 12 October 2009)

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

#### **Sources Consulted:**

Amnesty International  
BBC Monitoring  
BBC News  
Committee to Protect Journalists  
Ethnologue Languages of the World  
Danish Immigration Services  
European Country of Origin Information Network  
Google  
Human Rights Watch  
Immigration and Refugee Board of Canada  
IRIN  
Lexis Nexis  
Refugee Documentation Centre Query Database  
Relief Web  
Sudan Tribune  
UNHCR  
United Kingdom Home Office  
United States Department of State