



COUNTRY OPERATIONS PLAN

Executive Committee Summary

Country: Libya

Planning Year: 2005

2005 Country Operation Plan: Libya

Part I: Executive Committee Summary

(a) Context and Beneficiary Population

Political and security context

Libya will most likely continue to depend, in 2005, almost exclusively on oil production for its economic development. During the 1980's, the high oil revenue, in addition to the ambitious industrial and agricultural development programmes launched by the Libyan Government, tempted a very large number of citizens from neighbouring countries to seek employment and economic opportunities in Libya. Since then, the country has been extending a relatively flexible admission policy to Africans and Arabs. The latter have access to the labour market and move freely within the country, which continues to enjoy good security conditions and political stability. Amongst a population of 5 to 6 million people, some 30% are estimated to be foreigners, the majority of whom originate from the African and Arab countries, such as Sudan, Chad, Egypt, Somalia, Palestine, Tunisia, Morocco and Algeria.

Protection issues

Although Libya is not yet a signatory to the 1951 Convention and its 1967 Protocol, it has signed and ratified the OAU Convention of 1969. The Government has not yet developed a specific administrative structure to deal with refugees and asylum seekers and there is not yet any national legislation to determine refugee status. The Libyan Government actually continues to consider refugees and asylum seekers as foreigners residing in Libya without any specific distinction. Such an environment does not provide for solid safeguards for persons in need of protection and occasionally may result in the deportation of people of concern to UNHCR. Therefore, UNHCR's presence in Libya is duly justified with its current role as the major actor in providing, monitoring and coordinating protection and assistance to refugees and asylum seekers, with the support of its local non-governmental partners and relevant line departments.

UNHCR will actively pursue its efforts in 2005 to reach a legal framework towards protection and assistance of refugees and asylum seekers with the Libyan Government, by signing a Co-operation Agreement. The latter should serve as a basis for developing concrete and constructive dialogue with the local authorities regarding the implementation of the OAU convention, the management of the nexus between migration and asylum and the accession to the 1951 Convention and its 1967 Protocol, while providing the office with a better stand to achieve its mandate.

The root causes such as the conflicts, the chronic poverty and the lack of respect of fundamental human rights in the originating regions, coupled with the host country's open door policy and its proximity to Europe, constitute a considerable motivation for asylum seekers and migrants to reach Libya and beyond, Europe, searching for better protection and, for most of them, better economic opportunities. Within the broader context of migration management, the Office will work towards developing effective partnerships with the local authorities and other key actors and building local capacities aimed at safe guarding the rights of refugees and asylum seekers.

UNHCR's role

UNHCR assures reception of asylum seekers and processing of their refugee status applications. UNHCR will continue to protect and provide basic assistance to the most needy and vulnerable mandate refugees. It will also explore all opportunities available for voluntary repatriation, socio-economic empowerment and self-reliance/local integration, with a view to phasing down gradually the refugees' protracted dependency vis-à-vis the care and maintenance support provided by UNHCR over the past decade. The efforts deployed and results achieved in 2003 and 2004 in the Programme re-orientation towards durable solutions and self-sustainability will be intensified in 2005.

UNHCR will pursue its efforts towards local capacity building, awareness-raising, advocacy and other promotional activities for its local operational partners as well as relevant actors such as parliamentary institutions, government bodies, non-governmental organisations, academic and research institutions, and civil society.

With regard to government capacity building, UNHCR Libya will continue to support and facilitate the participation of Government Officials to UNHCR's EXCOM. Moreover, the Office will continue its reach out efforts and targeted seminars, in co-operation with the local NGOs, as part of its awareness-raising strategy. In 2005, the Office is planning to organise, jointly with the Gaddafi International Foundation For Charity/Association for Human Rights, workshops on Humanitarian and Refugee Law as part of its objective for local capacity building.

Overview of the beneficiary population

As of 31 December 2003, there were some 11,897 urban refugees registered with UNHCR Office in Tripoli. The largest majority of the refugees are Palestinians (8,787, 74%) followed by Somalis (2,906, 25%), Sierra Leoneans (96, 0.8%), Iraqis (43, 0.4%) and persons from various African and Arab countries. It is estimated that 40% of this population are female, while 40% of the total population consist of children between the ages of 0-17.

UNHCR has two main beneficiary populations: Palestinians and Somalis. Both of the caseloads are considered refugees under UNHCR's mandate. Among Somalis, there are currently approximately 178 persons, including 15 families and 73 single males, who are residing regularly in the new compound provided free of charge by the Libyan Government, in 2002, and located in the surroundings of Tripoli. The Office continues to cover recurrent costs related to maintenance and rehabilitation of the compound.

Policy issues

The UNHCR policy on refugees in urban areas will continue to serve, in 2005, as a guiding tool for the development of specific parameters and criteria for protection, assistance and durable solutions in Libya. The appropriate understanding and endorsement of such a central policy by Government counterparts, NGO operational partners and refugees themselves would continue to be one of the main challenges in 2005 for strengthening the programme reorientation from the current protracted care and maintenance assistance towards self-sustainability and durable solutions. Only the most vulnerable refugees will be supported with subsistence allowances, which will be time-limited and granted pending the engagement of the beneficiary in durable solution options.

The resettlement option, as a protection and burden sharing tool, will be fully explored in 2005 by the Office as an integral part of its durable solutions strategy. The UNHCR policies on refugee women, gender equality, children, elderly persons and environment would remain a priority in the designing, implementation and monitoring of the office activities and overall operations. These policies will be mainstreamed throughout the 2005 programme cycle, while, at the same time, projects to address the specific needs of the above groups will be developed and co-financed jointly with local partners, NGOs and foundations such as the Gaddafi International Foundation For Charity Associations, international and bilateral organizations and private and public companies locally represented in Libya.

In line with its new strategy, the Office will initiate, in 2005, consultations with the Government on the feasibility of and modalities for a gradual and sustainable hand over of the Somali refugee compound to the relevant line departments and local NGOs. If proved feasible, such a hand over process would involve a 'transition' period to be jointly agreed upon by all the parties, aimed at ensuring its sustainability.

In this connection, the Office will pursue efforts to promote self-sustaining activities throughout 2005, by establishing a Revolving Fund to support micro-credit initiatives and by creating additional co-financing windows with its partners. The Office will also extend its support to GIFCA in order to operationalise its Trust Fund Initiative for refugee hosting countries and will enhance, in general, the exploration of the Libyan fund raising potential with the support of UNHCR Headquarters.

The management of the migration/asylum nexus would continue to be placed as a priority in the Office strategic plan in 2005.

Linkages to other countries

As appropriate, UNHCR Tripoli will pursue a close co-ordination with UNHCR offices in the Middle East and North Africa on various aspects of protection and assistance. More specifically, Refugee Status Determination and resettlement procedures will continue to be harmonized with UNHCR offices in the relevant neighbouring countries hosting, inter alia, Palestinian and Somali refugees. Information on irregular movers and resettlement procedures will be shared with the Offices facing similar situations.

Capacity and presence of Implementing Partners

During 2005, the operational partners will continue to receive extensive support aimed at coaching and training their staff, thus ensuring a better protection of refugees and delivery of quality programmes. The selected implementing partners will be responsible, under the overall co-ordination and guidance of UNHCR, for assessing the needs and resources of the most vulnerable refugees and providing them with time-limited basic care and maintenance assistance pending durable solutions. A local capacity building component will be systematically included in the projects.

In addition to its operational partners, UNHCR also signed PARinAC agreements with Libyan NGOs such as the Gaddafi International Foundation for Charity Associations (GIFCA), the World Islamic Call Society (WICS) and the Wa-atasmo (previously named Aisha) Charity Association. These partners have been, so far, more inclined to assist refugees outside Libya as demonstrated by the joint ventures

(UNHCR and GIFCA in Pakistan, UNHCR and WICS in Guinea and Wa-atasemo in Sudan) carried out over the last three years. For these reasons, it is a challenging task for UNHCR Tripoli to involve them significantly in in-country refugee activities. It is to be noted that international NGOs are not present in Libya.

Presence and role of other UN agencies and international Organisations

UNHCR Tripoli will continue to actively participate in the UN inter-agency forum (UNDP, UNICEF, WHO, FAO), under the Resident Coordinator system, in order to explore opportunities that could benefit refugees. Operational linkages will be further developed with other UN and bilateral operations available, aimed at bridging the gaps in the relief-to-development continuum phasing down gradually UNHCR's assistance and integrating the "refugee services" into the relevant local structures (education, health, etc.) and the national development initiatives. In this regard, the Office will ensure that the UN Millennium Development Goals equally apply to refugees. As appropriate, the Office will participate in the various joint initiatives and coordination processes that take place within the UN Country Team, such as the elaboration and implementation of the Country Strategy Note (CSN), the Common Country Assessment (CCA) and the United Nations Development Assistance Framework (UNDAF).

Efforts initiated in the last three years towards co-operation with bilateral organisations of donor countries (e.g. job-oriented vocational training) will be sustained in 2005. Moreover, direct job-placement of refugees into projects of national public/private enterprises and those of international private companies operating in Libya will be also an important element of the UNHCR country self-reliance strategy towards durable solutions.