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16 July 2003

ZZZ41791.E

Tunisia/Libya: A treaty or agreement between Libya and Tunisia whereby Tunisia would send Libyan citizens who try to claim refugee status in Tunisia back to Libya

Research Directorate, Immigration and Refugee Board, Ottawa

References to a treaty or agreement between Libya and Tunisia whereby Tunisia would send back to Libya any Libyan citizens who try to claim refugee status in Tunisia could not be found among the sources consulted by the Research Directorate.

The U. S. Committee for Refugees (USCR) published in its *World Refugee Survey 1997* the following information on Tunisia:

The U.S. Department of State reported that Tunisia deported several refugees during 1996, but that none were "forced to return to countries where they feared persecution." UNHCR reported that it was aware of two cases involving persons deported to Libya on the basis of their earlier residence or stay in that country. One was a recognized mandate refugee; the other was an asylum seeker whose case was still under consideration (USCR 1997).

No references to Tunisian handling of refugees or refugee claimants could be found in more recent USCR publications.

More recently, the United States Department of State provided the following statements on Tunisia's handling of refugees and/or refugee claimants:

The Constitution provides for the granting of asylum and refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. It also expressly prohibits the extradition of political refugees. The Government cooperated with the office of the U.N. High Commissioner for Refugees (UNHCR) in assisting refugees. The Government acknowledged the UNHCR's determination of refugee status, which was accorded to 102 individuals during the year. During the year, the UNHCR processed 38 applications for asylum. The Government provided first asylum for refugees based on UNHCR recommendations. There was no pattern of abuse of refugees. Although a few refugees were deported during the year, none were forced to return to countries where they feared persecution (*Country Reports 2002* 31 Mar. 2003, Sec. 2d).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate 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 find below the list of additional sources consulted in researching this Information Request.

References

United States Committee for Refugees (USCR), Washington, DC. 1997. *World Refugee Survey 1997*. "Tunisia."

<<http://www.refugees.org/world/countryrpt/africa/1997/tunisia.htm>> [Accessed 15 July 2003]

Country Reports on Human Rights Practices for 2002. 31 March 2003. "Tunisia." United States Department of State. Washington, DC. <<http://www.state.gov/g/drl/rls/hrrpt/2002/18290.htm>> [Accessed 10 June 2003]

Additional Sources Consulted

Africa Confidential [London]. Nov. 2002-June 2003

Africa Research Bulletin [London]. Nov. 2002-June 2003

IRB Databases

Internet sites and search engines, including:

Amnesty International

Associazione per i popoli minacciati

Asylumlaw

BBC Africa

Corriere della Sera [Rome]. Searchable archives

Human Rights Watch

International Organization for Migration (IOM)

ReliefWeb

UNHCR Country of Origin and Legal Information


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