

Discriminatory Decrees and Violations of Human Rights in Libya

(Intended merely as a sampling and not an exhaustive compilation)

- Article 1 of Law No.62 of March 1957, provided, inter-alia, that persons or corporations were prohibited from entering directly or indirectly into contracts of any nature whatsoever with organizations or persons domiciled in Israel, with Israel citizens or their representatives. Provision of this article also enabled the Council of Ministers register residents in Libya who were relatives of persons resident in Israel.[1]
- Law of December 31, 1958 was a decree was issued by the President of the Executive Council of Tripolitania, which ordered the dissolution of the Jewish Community Council and the appointment of a Moslem commissioner nominated by the Government.[2]
- On May 24, 1961, a law was promulgated which provided that only Libyan citizens could own and transfer real property. Conclusive proof of the possession of Libyan citizenship was required to be evidenced by a special permit that is reliably reported to have been issued to only six Jews in all.[3]
- Royal Decree of August 8, 1962 provided, inter-alia, that a Libyan national forfeited his nationality if he had had any contact with Zionism. Forfeiture of Libyan nationality under this provision extending to any person who had visited Israel after the proclamation of Libyan independence, and any person deemed to have acted morally or materially in favour of Israel interests. The retroactive effect of this provision enabled the authorities to deprive Jews of Libyan nationality at will.[4]
- With the first law No. 14 of February 7, 1970, the Libyan Government established that all property belonging to "Israelis" who had left Libyan territory "in order to establish themselves definitely abroad" would pass to the General Custodian. In spite of the precise wording of the law ("Israelis who had left Libyan territory in order to establish themselves abroad definitely"), the Libyan Government started to take possession of

property belonging to “Jews” without bothering about the fact that these Jews could not be considered as “Israelis” and had not “established themselves definitely abroad.”[5]

· The Government decreed the law of July 21, 1970, wherein it states that it wanted to control “the restitution of certain assets to the State.” The “Law relative to the resolution of certain assets to the State” asserted that the General Custodian would administer liquid funds of the property of Jews as well as the companies and the company shares belonging to Jews.[6]

1. Confidential memorandum to Prince Sadruddin Aga Khan, UN High Commissioner for Refugees, dated May 8, 1970.

2. Ibid.

3. Ibid.

4. Ibid.

5. Note to File, UNHCR Archives, dated August 24, 1970.

6. Ibid.