

Palestinian refugees in Egypt

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1. Basic information

Official name:

Capital: Cairo

Estimated population:

1.1 Map

2. Summary

By the end of 2002, there were estimated to be 50,000 Palestinians in Egypt (USRC 2002). They had arrived in Egypt over several decades, and fear and occupation of their lands and properties had prevented them from going back to Palestine. In addition to reasons connected with the war and the geographical proximity of Egypt and Palestine, social and professional ties have also brought Palestinians to seek shelter in Egyptian cities and towns.

The United Nations Relief and Works Agency did not serve the Palestinians in Egypt, as it did the Palestinians in Jordan, Syria, and Lebanon. Assistance was at first provided by the Egyptian government's High Committee for Palestinian Immigrants. Later, as Nasser became president, Palestinians were treated on a par with Egyptians. Until the late 1970s they enjoyed the national protection of the Egyptian state.

As time went on, political events as well as the stance taken at both Egyptian and Palestinian political levels concerning the peace process affected the treatment of Palestinians in Egypt. From the early 1980s Palestinians were treated as foreigners. Despite the fact that Palestinians come under the mandate of the United Nations High Commissioner for Refugees (UNHCR), until recently no protection or assistance was provided to them.

Websites:

Background about the exodus - www.allthatremains.com

Statistics about Palestinian refugees -

<http://www.refugees.org/world/countryindex/egypt.cfm>

Articles about Palestinians in Egypt - <http://www.id21.org/insights/insights44/insights-iss44-art03.html>

- <http://www.badil.org/Publications/Majdal/1999/2i.htm>

3. Palestinian refugees in Egypt

3.1 Historical background

Arrival in Egypt

The Zionist attacks in 1948 against the shore cities in Palestine such as Jaffa (Yassin 1996) and villages, forced Palestinians to leave their homes and seek shelter until the situation calmed down. As Palestinians were able to go back to their homes after the forced migration in 1929 as a result of the Burak Rebellion (Western Wall Rebellion), and after the 1936–9 strike, they expected to return home soon after peace was restored. Palestinians arrived in Egypt en masse, either overland via Gaza or by sea via Port Said. The first group settled in Abbassyieh in Cairo. After mid-April 1948 the situation in Palestine worsened, and more people left for Egypt. The High Committee for Palestinian Immigrants was created to establish temporary Palestinian camps. In addition to Cairo's Abassyieh, Mazarita camp was created near Alexandria and Qantara Sharq camp near the canal. The latter provided the main social and economic services. At the time there were 12,000 Palestinian refugees (Sarraj 1986).

In February 1949 the Rhodes Armistice was signed and Egypt assumed military and administrative rule of Gaza. Many Palestinians from the camps were transferred to Egypt's Maghazi camp (Yassin 1996). Only those with sufficient financial means and established Egyptian networks (to guarantee their stay) were allowed to remain.

On a small number of Palestinians arrived in Egypt in 1956 was little. According to Yassin (1996) they did not exceed 200. Given the deteriorating economic situation in Gaza after the Tripartite War, Abdul Nasser called Palestinians who were educated with a high school diploma or a university degree to work in the Egyptian public sector. According to several Palestinians who joined the government after this call, the number exceeded 5,000. When the 1967 war erupted, these Palestinians were prevented from going back to their homes.

In addition to those who had to remain in 1967 and the years which followed, Egypt hosted several thousand military and civilian Palestinians who arrived as a result of the war. Several temporary camps were created again, until all their inhabitants were able to settle in one of the Egyptian cities.

Many Palestinians kept on moving. Many went to the Gulf countries to seek employment. Others went to other Arab countries as part of the PLO Liberation Army. Because of its proximity to Palestine and the benefits of having Egyptian travel documents, for Palestinians Egypt was the base to which they would return whenever possible. After the 1982 departure of the PLO from Lebanon, many Palestinians from the Ein Jalout Liberation Army returned to Egypt. The situation was similar during the 1991 Gulf War. Palestinians went to Egypt whenever possible. However, in 1995, very few of the Palestinians who had been stranded for two years at Salloum camp on the Egyptian–Libyan border were able to re-enter Egypt.

Websites:

1929 Burak - <http://www.templeinstitute.org/emails/01-01-28Islamic%20Denial%20of%20Temple%20Mount%20History.html>

Rhodes Armistice - <http://www.mfa.gov.eg/getdoc.asp?id=131>

Tripartite War - <http://www.britains-smallwars.com/Yahia2/Nasser.htm>

Salloum Camp on the Egyptian–Libyan borders -
<http://www.web.amnesty.org/ai.nsf/index/MDE010011997>

Politics

In 1950, during King Farouk’s rule, Egypt signed an agreement with UNRWA to assist Palestinian refugees in Gaza. However, it did not permit UNRWA to operate within Egypt. The motivation was the desire not to create suitable conditions for Palestinians to remain in the country. As stated in an article in *Al-Ahram* (21 May 1950), ‘The Egyptian government was keen to abide by the resolutions of the United Nations [concerning the repatriation and the mandate of the CCP] and has informed the Clapp Committee [of the Economic Survey Mission] that Egypt is too crowded with its own people and cannot receive the refugees on its territories.’ Palestinians were not permitted to work or to open their own businesses, nor were

they given Egyptian passports (few Palestinians were naturalized in Egypt but no statistics were available on their numbers).

President Nasser perceived Egypt's role as one of leadership through Arabism and the Palestinian issue. Thus his call was to treat Palestinians as Egyptian nationals. This was the 'Golden Era' of 1962 to 1978, during which Palestinians were permitted to practise their rights as citizens while holding Egyptian travel documents.

In 1965 Egypt and other members of the Arab League signed the Casablanca Protocol. The Protocol called upon Arab governments to grant Palestinians residence permits, the right to work and the right to travel on a par with national citizens, while at the same time emphasizing the importance of preserving Palestinian identity and maintaining the refugee status of Palestinians residing in host countries. On paper, at least, the members of the Arab League expressed their solidarity with and sympathy for Palestinians and their rights. On a practical level, however, the Casablanca Protocol was not upheld.

In the mid-1970s, after the 1973 war during which Egypt regained territories occupied by Israel, President Sadat sought to make peace with Israel. He was determined to reap the economic and military benefits that peace with Israel and 'full partnership' with the USA would bring (Miller 1986). Sadat believed that peace genuinely encompassed Egypt's commitment to Palestinian rights. For him calling for bilateral peace with Israel was laying the groundwork for comprehensive peace in the region.

In 1977 Sadat made the journey to Israel to seek a permanent peace agreement. Israel and Egypt signed the Camp David Accords for Peace. A year later, El-Sibai, the Minister of Culture, was killed in Cyprus by the Palestinian faction group Abu Nidal El Banna in close coordination with Iraqi intelligence. By killing Sabai, Iraq, which was taking the lead in ostracizing Egypt for its contacts with Israel, aimed to punish Sadat and give him a taste of what he too might expect (Seale 1992).

Since Abu Nidal was Palestinian, Palestinians in Egypt paid the price. On 28 February 1978 a ministerial decision was announced: all processes by which Palestinians were being treated as nationals would be reconsidered. In 1978 two administrative regulations, no. 47 and no. 48,

were issued by Sadat: all regulations treating Palestinians as nationals were to be annulled. Ministries quickly applied the new rules.

Since then Egypt's political stance on the Palestinian question has fluctuated in relation to Palestinian attitudes towards peace, UN resolution 242, and settlement with the Israelis. Everything that occurs at the political level has a direct impact on Palestinians in Egypt at social and economic levels.

Websites:

Camp David Accords - http://www.historychannel.com/cgi-bin/frameit.cgi?p=http%3A//www.historychannel.com/speeches/archive/speech_269.html

Rogers Plan - <http://www.us-israel.org/jsource/History/rogers.html>

3.2 Society

The Palestine Liberation Organization (PLO) is the principle actor serving the Palestinians in Egypt. After the signing of the Oslo Peace Agreement (Declaration of Principle 1993) and the establishment of the Palestinian National Authority in the West Bank and Gaza Strip, activities and projects funded by the PLO diminished in Egypt.

All the active civil society bodies in Egypt report back to the PLO. They are:

The Palestinian Labour Union

The aim of this union, established in Egypt in 1963 and which continues to operate, was to increase the continuity of employment of its members and attempt to improve employment conditions. Today, it provides several administrative and social services such as issuing letters to facilitate the issue and renewal of work permits and residence permits for applicants in Egypt. It also provides financial subsidies for members' families after their death, helps with funeral expenses if necessary, and distributes donations to members of the union who are in need.

The Palestinian Women's Union

The main goal of this union is to organize women inside the PLO apparatus and to mobilize Palestinian women's talent and skills to serve the Palestinian cause. Unlike the other unions, the Women's Union has avoided participating in or even discussing domestic issues in Egypt, and offers membership to Egyptians as well as Palestinians who are supportive of the Palestinian plight.

The union's activities are now limited to giving financial and material subsidies and paying private school fees for a small number of low-income families. The union helps approximately 200 women in Cairo market their embroidery products. Projects such as literacy classes and loan support schemes have ceased altogether because of insufficient funding and the lack of full-time staff. The Women's Union holds a yearly bazaar in which clothing and embroidery produced by low-income Palestinian women are sold.

The union has a folk group called Choral Abbad Al-Shams. A folk dance troupe has performed in the past with the Egyptian national dance troupe and has performed throughout the Middle East. The troupe served to raise revenue and to publicize the Palestinian cause abroad. However, this group has only involved a small number of Palestinians, mainly people who are affiliated with the PLO.

The Association of Martyred and Injured Palestinians

The Association is affiliated with the PLO. It serves 500 families living in Egypt. As its name implies, these are the families of Palestinians who were members of the PLO and who were martyred or injured. The association gives assistance to families through a monthly salary.

The Palestinian Charitable Association

The Palestinian Charitable Association was established in 1983. It endeavours to help Palestinians living in Egypt acquire their basic rights by subsidizing education and health services and by channelling job opportunities among Palestinian job seekers and employers. The Charitable Association is linked to the Palestinian Businessmen's Association, which funds the association. It also endeavours to extend its assistance on the socio-economic and legal levels for Palestinians living throughout Egypt. The

association currently serves 318 Palestinian families who live below the poverty line. Most of those served by the association are women whose husbands abandoned them upon leaving for Gaza. Some 218 families are on the waiting list.

The Palestinian Red Crescent Society (PRCS)

This is a national humanitarian society that provides a wide range of services to Palestinian people. Since the 1970s several clinics have been created in the areas heavily populated by Palestinians. Their aim was to serve the socio-economic needs of Palestinians by creating a social centre and a permanent exhibition of Palestinian handicrafts to market the products of women. Through the organization, women are taught sewing and Palestinian embroidery patterns. The PRCS has a Palestinian folkloric troupe, called Faloujeh, which aims to preserve Palestinian culture and identity in exile, and to spread awareness of the Palestinian cause.

When Palestinians were forced to leave Lebanon in 1982, the PRCS's Egypt branch became the organization's headquarters. It applied for permission to build the first specialized Palestinian hospital in Cairo. The hospital serves those working at PLO institutions and Palestinian unions in addition to Palestinian Red Crescent employees. It serves the families of martyrs and injured Palestinians, who are also covered and assisted by the Association of Martyred and Injured Palestinians. The hospital provides medical treatment to Palestinians working with the Palestinian Authority in Gaza and the West Bank. Due to the lack of medical services there, hospitals in the Occupied Territories often transfer cases to the Palestinian hospital in Cairo.

3.3 Right to employment

In 1962 Law 66 was issued to permit Palestinians to work in government and public-sector jobs and to be treated as nationals of the United Arab Republic.

In 1978 following the assassination of Yusuf El-Sibai and the signing of the peace agreement with Israel, policies restricting Palestinian rights in Egypt greatly affected their economic stability. Section 1 of Article 16 (Law 48 of 1978) concerning employment in the public sector stipulated that the enrolment of Arab country nationals should be conducted on a reciprocal basis, meaning that the government of

Egypt would hire citizens only of those countries that hired Egyptian nationals. This presented obvious difficulties for Palestinians, who do not have their own country.

Article 26 (Law 137 of 1981) regarding work in the private sector stipulated that employment of foreigners in Egypt would be conditional on reciprocity. Article 27 stipulated that foreigners were not permitted to practise their professions unless they had a permit issued by the Ministry of Labour Force and Training as well as a residence permit. Adding to the difficulties for Palestinians, a quota was set for foreigners in the private sector. Article 4 (Law 25 of 1982) conditioned that foreigners should not exceed 10 per cent of the total number of employees in any workplace in order to avoid competition between foreigners and the national labour force. However, in its second paragraph, the Article permitted certain exceptions in the interests of the country and its need for foreign labour.

3.4 Right to education

When Palestinians began moving to Egyptian cities, a ministerial decision was issued in 1949 concerning the provision of educational services to Palestinians. It stated that 'non-Egyptians are not to be admitted in Egyptian schools unless their passports indicate that they were given a residence permit by the Ministry of the Interior. Those who do not have residency permit are required to apply to the Ministry of the Interior. The school will renew the residency accordingly' (*Al-Ahram*, 13 April 1949).

When the Free Officers took over in 1952, education in schools and universities became free for all Palestinians. It was not until the 1978 Camp David Accords that Palestinians were gradually denied their right to free education.

Public universities are free for Egyptian students. To attend public universities Palestinians must pay their fees in foreign currency. Al-Azhar University offers free university education only for students attending the faculties of Arabic language and *Sharia* (the science of the Islamic religion). However, for students studying in other faculties and specialisms, Al-Azhar also requires payment in foreign currency.

Although gaining a basic education became difficult in the years following 1978, certain categories of Palestinians were still able to attain free elementary education

and were exempted from paying 90 per cent of the university fees. These included the children of employees of the PLO, of the Ain Jalout forces, and of the Administrative Office of the Governor of Gaza.

An official letter dated 30 October 1993 from the Ministry of Higher Education's general administration for admitting immigrant students (*Maktab Wafidin*) to the cultural attaché of the Palestinian Embassy clarified the categories of Palestinians which may be exempt from paying 90 per cent of university fees: children of government employees, including retirees; children of Egyptian widows and divorcees; children of mothers who have obtained their Egyptian high-school exams; continuous residents of Egypt – those who were born in Egypt and have completed all levels of basic education in Egyptian schools; and students in need of financial assistance who can submit papers verifying their [socio-economic] conditions.

3.5 Right to ownership

Law 124 of 1958 stipulated that, for security reasons, foreigners are prevented from owning agricultural land in Egyptian territory. Law 15 of 1963 prevented foreigners from owning any land at all. However, Article 1 considered Palestinians to be an exception 'till the Palestinian territories are liberated from the occupiers and Palestinians return to their homeland': Palestinians were permitted to own land in Egypt.

In 1976 Law 81 prevented foreigners from owning buildings and land except in certain cases. Article 2/B stipulated that when the ministerial council grants permission, foreigners may own buildings and land, if they fulfil certain conditions.

Law 104 of 1985 prevents foreign persons and companies from owning agricultural property, or fertile land or desert land in Egypt. Article 1 stipulates that ownership of the property reverts to the state within five years of the law coming into force.

3.6 Legal status

In 1960, during the period of unity between Egypt and Syria, Decision no. 28 was issued stipulating the provision of travel documents for Palestinians. In order to receive such a document, a Palestinian had to prove refugee status by producing an

earlier ID issued by the Egyptian Department of Passports and Nationality and also had to prove legal residence in Egypt.

The 'Egyptian Travel Document for Palestinian Refugees' is valid for five years. Its validity, however, is contingent upon the renewal of a residence permit. Renewal requirements vary according to the year of arrival. Category A includes those who arrived before 1948 and states that their residence permits are renewable every five years or every 10 years if they provide proof of 10-year continuous residence in Egypt. Category B includes those who arrived in 1948 and states that their residence permits are renewable every five years. Category C includes those who arrived in 1956 and states that their residence permits are renewable every three years. Category D includes those who arrived in 1967 and states that their residence permits are renewable every three years. Category H includes those who arrived after 1967 and states that their residence permits are renewable every three years and that this may vary according to the conditions of entry into Egypt.

Despite the fact that Palestinians in Egypt are refugees or displaced persons and cannot go back to Palestine due to the occupation, being granted residence permits is conditional on providing a reason for remaining in Egypt. Renewal of Palestinian residency permits in Egypt is conditional on paying a fee and proving one has a reason to be there. Each applicant must provide evidence of attending a school or university, legal employment (a work contract), a business partnership with an Egyptian, or a marriage with an Egyptian woman, to mention just a few of the requirements. Lacking any of these, they must have a bank statement showing they have \$5,000. As consequence there are many Palestinians living illegally without residency in Egypt and they all risk being jailed or deported.

3.7 Needs and responses

The United Nations Relief and Works Agency (UNRWA) was created to provide assistance for Palestinian refugees based on UN Resolution 302(IV) of 1949, while the United Nations Conciliation Commission for Palestine (UNCCP) when established was expected to provide protection for Palestinian refugees based on UN resolution 194(III). As a result, Palestinian refugees who are assisted by UNRWA are not included in the 1951 Convention Relating to the Status of Refugees.

Exceptionally, UNRWA served in Canada Camp at the Egyptian–Palestinian Rafah borders after Israel withdrew from Sinai, which had been occupied in 1967, in 1982.

Websites:

Canada Camp- http://www.idrc.ca/sid/CANADA_CAMP_PAPER05JUL01.pdf

Based on Article 1D of the 1951 Refugee Convention,

This Convention shall not apply to persons who are at present receiving from organs or agencies of the United Nations (UN) other than the United Nations High Commissioner for Refugees (UNHCR) protection or assistance.

When such protection or assistance has ceased for any reason, without the position of such persons being definitively settled in accordance with the relevant resolutions adopted by the General Assembly of the UN, these persons shall *ipso facto* be entitled to the benefits of this convention.

Palestinians living in Egypt who do not enjoy the relief and assistance provided by UNRWA fall, therefore, within Paragraph 2 of Article 1D and should automatically be entitled to the benefits of the 1951 Convention and fall within the mandate of the UNHCR, ‘providing of course that Article 1C, 1E and 1F do not apply’ (Akram 2001).

According to Takkenberg, Egypt ratified the Refugee Convention in 1981 but was ‘reluctant to become bound by the 1951 Convention, apparently out of a perceived conflict between the status favoured by the Arab League and that of the Convention, and also because for many years the PLO had opposed providing individual Palestinian refugees with the status of the 1951 Convention because this was considered prejudicial to the inalienable rights of the Palestinian people’ (Takkenberg 1998).

In many Arab League meetings states expressed the fear that the Palestinian plight would not be adequately addressed if UNHCR's durable solutions were applied to Palestinian refugees, such as resettlement to a third country or settlement in the first country of asylum. The Palestinian refugee problem, they argued, was to be resolved on the basis of a special formula of repatriation and compensation rather than the formula commonly accepted for refugees at the time, which was resettlement to a third state (Akram 2001: 173).

Given that the UNCCP's ability to offer protection to Palestinians was weakened by its dual mandate, and because of the fact that the 1951 Convention continues in large part not to be applied to Palestinians, Palestinians have been left with no agency to protect their legal rights. This has had particularly dire consequences for stateless Palestinians who have been denied rights in host countries. Due to the fact that Palestinians who fled to Arab countries were not granted citizenship and lost their citizenship in Palestine, many Palestinians are now stateless. National protection in turn, pledged to be ensured by Egypt when signing the 1965 Arab League Casablanca Protocol, has not been upheld.

Protocol on the Treatment of Palestinian Refugees ('Casablanca Protocol')

(Unofficial translation) – <http://www.Badil.org>

On the basis of the Charter of the League of Arab States and its special annex pertaining to Palestine, and of the LAS Council resolution concerning the Palestinian issue, and, in particular, of the Special Resolution pertaining to safeguarding Palestinian existence,

The Council of Foreign Ministers of Member States agreed, in its meeting in Casablanca on 10 September 1965, upon the following regulations, and called upon member states to take the necessary measures to put them into the sphere of implementation:

- (1) Whilst retaining their Palestinian nationality, Palestinians currently residing in the land of _____ have the right of employment on a par with its citizens.
- (2) Palestinians residing at the moment in _____ in accordance with the dictates of their interests, have the right to leave and return to this state.

(3) Palestinians residing in other Arab states have the right to enter the land of _____ and to depart from it, in accordance with their interests. Their right of entry only gives them the right to stay for the permitted period and for the purpose they have entered for, so long as the authorities do not agree to the contrary.

(4) Palestinians who are at the moment in _____, as well as those who were residing and left to the Diaspora, are given, upon request, valid travel documents. The concerned authorities must, wherever they be, issue these documents or renew them without delay.

(5) Bearers of these travel documents residing in LAS states receive the same treatment as all other LAS state citizens, regarding visa, and residency applications.

On behalf of: The Secretary General

Casablanca, 11 September 1965

3.8 Sudanese refugees in Egypt

The 19 year old civil war in Sudan has caused the displacement of an estimated 500,000 Sudanese to eight neighbouring African countries; Egypt, Kenya, Uganda, Ethiopia, Chad, Central African Republic, Eritrea and the Democratic Republic of Congo (US State Department Country Reports on Human Rights Practices - 2002).

The largest refugee group in Egypt are the Sudanese refugees who make up 75% of the asylum seeking refugee population in Egypt (UNHCR Regional Office, Cairo 2003). By the end of 2003, there were 13,284 Sudanese refugees recognised by UNHCR. The Sudanese refugees in Egypt come from all parts of Sudan, however the southern Sudanese make up the largest group (Sperl, 2001). According to UNHCR RO Cairo, in 2001, southern Sudanese made up 61% of the Sudanese recognised refugee community. Sudanese refugees are made up of different ethnicities and speak different languages as well. Whereas the majority of northern, western and central Sudanese are Muslims, southern Sudanese are predominantly Christian.

Historically, Egypt and Sudan have enjoyed excellent relations. There were many bilateral agreements signed between the two countries allowing for the free passage of people and goods across the Sudanese-Egyptian border. In 1994, the Egyptian government requested that UNHCR screen Sudanese asylum seekers. This changed in 1995, following an assassination attempt on Egyptian President Mubarak in Addis Ababa, Ethiopia, in which it was believed that the Sudanese government was implicated (Hassan, 2000). In response, Egypt closed its borders and applied visa requirements on Sudanese nationals. Sudanese who entered Egypt to reside after that date had to hold a residence permit (Sperl, 2001).

As of 1 June 2004, UNHCR Cairo has stopped registering all Sudanese asylum seekers for Refugee Status Determination (RSD) interviews and is only issuing them with yellow cards (temporary protection). The yellow cards are valid until the end of 2004. UNHCR has stated that by the end of 2004 the situation in Sudan will be reviewed and a decision will be taken regarding the status of the Sudanese refugees in Egypt. UNHCR has stated that if the situation remains the same the temporary protection for the Sudanese asylum seekers will be extended. If the situation improves UNHCR will promote voluntary repatriation; or will give *prima facie* recognition if the situation worsens. Sudanese refugees in Cairo are mostly concentrated in Maadi, Nasr City, Heliopolis and Ain Shams (UNHCR, 2003b).

Danish Immigration Service, "Report on Fact Finding Mission to Cairo (Egypt) and Geneva (Switzerland): Human Rights Situation in Sudan and Position of Sudanese Nationals in Egypt 29 January to 12 February and 3 to 7 March 2000 (Copenhagen, October 2000)

<http://www.unhcr.ch/cgi-bin/taxis/vtx/rsd/+nwwBmeHLJ69wwwwwwwwwwwwxwFqwqFqwmFqwnFqwhFqwtFqhI1mwDrFqwoFqwzFqwAFqqejhrmFmmDFqm7y-dFqt2IygZf3zmnwwwwww/rsddocview.pdf>

4. Other resources

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