

Palestinian refugees in Lebanon

by Sherif Elsayed-Ali

When the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) was established it was only intended to offer a temporary solution, not one that would last for 56 years.

As noted in preceding articles, UNRWA was created in the aftermath of the 1948 Arab-Israeli conflict. After fleeing or being expelled, over 900,000 Palestinians sought refuge in Jordan, Lebanon and Syria, while others were displaced to the West Bank or the Gaza Strip. While there have been other waves of displacement, mainly in 1967, only those displaced in 1948 and their descendants are considered 'Palestine refugees'¹ and thus fall under UNRWA's mandate.

The Palestinian refugee problem is uniquely complex, protracted and significant. One of its peculiar aspects is that most Palestinian refugees want to return to their homes and/or lands but are unable to do so not because of a fear of persecution – commonly found in other refugee situations – but because they will not be allowed to enter the Occupied Palestinian Territory (OPT) or Israel by the Israeli authorities. The three durable solutions for refugees are resettlement in a third country, local integration in the country of asylum, and voluntary repatriation. Voluntary repatriation – or return – is often referred to as the preferred solution for refugees. The right to return is also a right guaranteed under international law and, in the case of the Palestinians, has been affirmed by several UN bodies including the General Assembly and the Committee on the Elimination of Racial Discrimination. It applies not just to those who were directly expelled and their immediate families but also to those of their descendants who have maintained what the Human Rights Committee calls "close and enduring connections" with the area.

Arab states, and host states in particular, have adamantly defended the Palestinians' right to return while publicly committing themselves to protecting their well-being until such time this becomes possible. However, as noted earlier, the main instrument protecting the rights of

Palestinian refugees – the Casablanca Protocol – has been patchily implemented. Lebanon is perhaps the most visible example of where political and historical conditions have created extremely difficult conditions for Palestinian refugees.

Palestinian population of Lebanon uncertain

Shortly after the 1948 events, about 100,000 Palestinians sought refuge in Lebanon. Today, there are several hundred thousand Palestinian refugees in Lebanon. Exact figures are not available. UNRWA has a total of 400,582 Palestinian refugees registered in Lebanon.² However, many are thought to have left Lebanon to seek a better life elsewhere but are still registered as refugees in Lebanon. Unofficial estimates put the real number closer to 250,000. One reason for the lack of precise figures is that Lebanon has not carried out a census since 1932.

In addition to the UNRWA-registered refugees, there are between 10,000 and 40,000 Palestinians who do not fall under UNRWA's mandate but who, like UNRWA-registered refugees, have identity cards issued by the Lebanese authorities. The third, and smallest, group is one that is neither recognised by the Lebanese authorities nor falls under UNRWA's mandate – commonly referred to as non-ID Palestinian refugees. They number between 3,000 and 5,000 individuals whose status in Lebanon is akin to that of irregular migrants, despite most of them having lived there for decades. As they do not possess valid identification they suffer from wide-ranging restrictions on their human rights.

Rola is a 42-year-old Palestinian refugee. Her family came to Lebanon in 1948 and is registered with UNRWA. Her husband (whom she divorced) had a Jordanian passport;

however, he lost his passport and the Jordanian authorities allegedly refused to renew it. Rola does not have a civil certificate for her marriage, only a religious one. Despite being registered with UNRWA, her children lack such registration; they are non-IDs. They all went to non-UNRWA paying schools. They were not able to continue their education after the 9th grade as they could not sit the state exams (*brév *).

UNRWA has registered 210,952 inhabitants living in the 12 Palestinian refugee camps often referred to as 'official' camps. UNRWA offers services ranging from the maintenance and development of basic infrastructure to schools, clinics and property registration. In addition to the camps, there are dozens of informal unofficial camps spread throughout Lebanon. Some accommodate hundreds of refugees and others thousands. UNRWA does not provide services to these communities but registered Palestinian refugees who reside within them are permitted to access UNRWA services provided in the official camps.

Housing is one of the most serious problems affecting Palestinian refugees in Lebanon. The land area occupied by the 12 official refugee camps has remained mostly unchanged since 1948, despite substantial growth in camp populations. Often, refugee families build additional rooms and, in many cases, additional storeys to their houses in order to accommodate increasing numbers. Some households visited by Amnesty International in 2005 had families of up to ten people sharing a single room. UNRWA describes the camps as suffering "from serious problems - no proper infrastructure, overcrowding, poverty and unemployment."³

Lebanese government policies are largely responsible for the poor housing conditions. The official refugee camps have houses built of bricks and concrete, and have streets, shops and sometimes paved roads. All of these require regular maintenance. However, since the

late 1990s the authorities have prohibited the entry of building materials into official camps in the south of Lebanon, where the largest camps are located. This has led to deterioration of the state of houses and the physical infrastructure.

Government policy targets refugees living in unofficial camps. Houses are more rudimentary than those in the official camps. Many have walls and ceilings made of corrugated iron that fail to provide protection from the elements and which become excessively hot during the summer. Replacing corrugated iron sheets with bricks would substantially improve the quality of housing but Lebanese authorities prevent the refugees from doing so. In some cases when refugees attempt to replace corrugated iron sheets they have been fined or had their ceilings and walls demolished by police. In one case, a woman was arrested by police and detained until the brick wall her husband had built was pulled down.

Legislation specifically targeting Palestinians was introduced in 2001 to prevent them from owning property. The law prohibits *Tawteen* (settlement), a reason often given for denying Palestinians their rights in Lebanon. This implies that a link is being made between non-competing rights: the right to adequate housing or to own property, and the right to return. In reality, neither right negates the other.

Severe restrictions on their right to work and their rights at work prevent Palestinians from improving their lives. Dozens of professions and trades are restricted to Lebanese nationals. For many years, Palestinians could not legally work as accountants, secretaries, salespersons, pharmacists, electricians, guards, drivers, cooks or hairdressers. They are also barred from owning a business involved in trading, currency exchange, gold, printing, publishing, car repair, engineering or health services. Palestinians are generally able to practice most professions or own businesses inside the 12 official camps but the restrictions apply elsewhere in Lebanon.

In June 2005 Lebanon's Minister of Labour announced that Palestinian refugees would be permitted to work in various occupations that

were previously barred to them by law, though not those governed by a professional syndicate (such as engineering, medicine and pharmacy). However, in order to qualify, Palestinian refugees are still required to obtain a work permit. It remains unclear whether Palestinians will be able to do so and whether this decree will actually reduce restrictions on Palestinians' employment rights.

Interviews conducted by Amnesty International with Palestinian refugees suggest that employers are more likely to employ Palestinian refugees in jobs that do not require a work permit such as construction work or cleaning. In such cases, Palestinians compete mainly with other foreign nationals. In some cases, Palestinian refugees are employed in jobs that require a work permit but without having one. Such employees are paid less than their Lebanese counterparts and do not have the benefits and protection provided by a work contract.

Restrictions on employment have a direct effect on other human rights. They magnify the various restrictions on housing rights and negatively affect standards of living. Education is also affected. In many cases, Palestinian families interviewed by Amnesty International said that children dropped out of school as they believed that spending many years of education to finish school or university would be wasted as they would be unable to use their education to gain a living.

Even more restrictions apply to non-ID Palestinian refugees. Their freedom of movement is severely restricted as they are not lawfully resident in Lebanon. Their children are not officially registered at birth, they are not able to take exams for the intermediary school certificate and thus continue their education and they cannot register marriages.

Miryam is 20 years old and a non-ID Palestinian refugee. She has been engaged for five years to a Lebanese man. However, she has not been able to get married as her marriage would not get a civil recognition because she has no documents. Her family has been working on the papers for years but there seems to be nothing that they can do. She is very depressed.

Generations of Palestinian refugees have lived and continue to live in Lebanon. They should be able to enjoy a wide range of human rights, including economic, social and cultural rights. Lebanon has obligations under international treaties that it has ratified – including the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, and the Convention on the Rights of the Child – to protect and respect the human rights of Palestinian refugees. Enjoying human rights in the host country, be it in Lebanon or in other host countries such as Egypt, does not in any way prejudice Palestinian refugees' right to return to their homes and lands. Until they are able to exercise this right, they should be able to enjoy access to essential services and exercise their rights to work, education, healthcare and property ownership.

In accordance with the principle of international burden and responsibility sharing, which recognises that "the grant of asylum may place unduly heavy burdens on certain countries",⁴ the international community should play a greater role in encouraging and assisting Lebanon to extend the highest possible level of enjoyment of human rights to its refugee population. Realising the right to return remains the most obvious way to redress the situation of Palestinian refugees. Concerned states and the international community should make serious efforts to ensure that the right to return can be practicably and effectively exercised by Palestinian refugees.

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1. UNRWA uses the phrase 'Palestine refugees', rather than 'Palestinian refugees', due to the fact that a small number of the residents of Palestine who lost their livelihoods and residence in 1948 and initially received UNRWA assistance were of Greek, Armenian or other non-Arab ethnicity.

2. www.un.org/unrwa/publications/pdf/tuif-dec05.pdf

3. www.un.org/unrwa/refugees/lebanon.html

4. Preamble to the 1951 Convention relating to the Status of Refugees