

The American University in Cairo  
Forced Migration and Refugee Studies Program (FMRS)  
Cairo to Camps

# Palestinians in Lebanon: Chains of Misery (*Bound by the Law and the Market*)

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## **The Forced Migration and Refugee Studies program (FMRS)**

The Forced Migration and Refugee Studies program (FMRS) is a program of education, research and outreach that seeks to improve the understanding, policies and practices of those who are concerned or work directly with refugees and other forced migrants. While maintaining a global and comparative perspective, FMRS focuses on the particular issues and circumstances of displacement in Africa and the Middle East from multiple viewpoints, including those of host societies, policy makers, states, humanitarian organizations, and in particular, of the forced migrants themselves.

Under the leadership of its new Director: Dr. Philippe Fargues, FMRS is in the process of developing from a local program on refugee studies into a regional centre on migration and refugee studies. In addition to widening the scope of research, FMRS is working on offering, along its specialized diploma in refugee studies, an MA in migration and refugee studies in the Middle East and Africa which will be the only MA on migration in the world that is specialized in this particular region.

This report is part of the awareness campaign by Cairo to Camps on the living conditions of Palestinians in Lebanon. Cairo to Camps, a youth solidarity project under the auspices of FMRS, aims to create channels of direct communication and interactive education with Palestinian refugees in Lebanon through annual trips to their refugee camps. The author of this report, Hoda Baraka who is a member of Cairo to Camps conducted the research during their trip of August 2005.

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## **Acknowledgement**

The following paper is the outcome of a month long field research conducted in the refugee camp of Sabra and Shatilla in Beirut during the month of August 2005. The aim of the research was to raise further awareness on the living conditions of Palestinians in Lebanon (with a particular focus on the labour laws) and thus highlighting the unique circumstances faced by the refugees in comparison to neighbouring Arab countries.

The timeline for this research ends in September 2005. Any further developments have not been included though the author believes that few events might have taken place with regards to amending the Lebanese labour law following the tragic events surrounding the Israeli invasion into Lebanon in August 2006 whereby current instabilities at the Lebanese domestic front continue to take centre stage.

This research would not have been possible without the support of Cairo to Camps and FMRS who provided the opportunity to do the field work. Special thanks also for Dr. Fateh Azzam, Dr. Ray Jureidini, Dr. Mulki Al Shamani and Dr. Philippe Fargues for their valuable feedback on this research from its inception until today.

*“.... [t]hey are refugees at one instance, a special category residents, on the other hand, and often, foreigners, and at best, Arab residents, in moments of rising national feelings, but always and forever, outlaws”<sup>1</sup>*

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<sup>1</sup> Nasser, Mihri. Palestinians in Lebanon in the balance of Human Rights. Assafir paper 13 January 1998.

## **Introduction**

Insecurity and instability could be general characteristics attributable to a large part of the Palestinian Diaspora, but the unique situation prevailing in Lebanon deserves to be given particular attention. This is because the degree of political, economic and social exclusion towards Palestinians is unique in its extent which in turn creates an ambiguous status quo for Palestinians; from which the present difficulties arise. This ambiguity serves to create a legislative vacuum, which in turn leads to the absence of a foundation for a clear relationship between both the Palestinians and the Lebanese. By discussing the current status of Palestinian refugees in Lebanon it is impossible to overlook the grave conditions that most refugees find themselves living in.

This research focuses on Lebanese labour laws and how these serve to further stifle the livelihood of Palestinian refugees in Lebanon. It will be argued that the ministerial memorandum of June 2005, which granted Palestinians the right to work in some professions which were previously forbidden, in reality serves only to generate false hope as it will not have a meaningful effect in ameliorating the living conditions of Palestinians. Firstly, a historical overview on Palestinians in Lebanon serves as an important pre-requisite for understanding the factors which led to today's complicated scenario. Though not comprehensive in its coverage, the section below aims to highlight certain events of relevance to the topic of this research amidst an otherwise saturated and intricate relationship between both the Lebanese and the Palestinians.

## **Historical overview of Palestinian refugees in Lebanon and the status of Palestinian labour**

### *Pre-1948*

The Palestinians and the Lebanese had important relations prior to the exodus of Palestinians from their homeland.<sup>2</sup> Ironically the Lebanese people sought work opportunities in Palestine. They were well integrated within the Palestinian society and economy and many prospered and reached important positions within the establishment of the time. This is important to highlight since nowadays reciprocity towards the Palestinians in Lebanon is seen by many as simply fair based on this fact. The arrival of Palestinians to Lebanon took place only 3-4 years after Lebanon had proclaimed its independence. As argued by many, it would not be an exaggeration to claim that the Palestinians are the foreign labour force which in large part helped build the Lebanese economy. Aside from being workers, they were owners of banks, companies and were heavily involved in trade. Upon their exodus, the Palestinians transferred 172,000,000 sterling pounds into Lebanon. This was four times the value of the Lebanese economy at the time. Consequently the Palestinian contribution to the Lebanese economy was of vital importance.<sup>3</sup>

### *1948 – 1958: ‘Adaptation and Hope’<sup>4</sup>*

The first ten years (1948-1958) could be generally characterized as the phase of ‘Adaptation and Hope.’<sup>5</sup> The 140,000 Palestinians who fled to Lebanon<sup>6</sup> were welcomed by the Lebanese both at the governmental and societal levels. Palestinians had undergone

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<sup>2</sup>Khaled Ayid. Institute for Palestine Studies. Personal Interview. 15 August 2005.

<sup>3</sup>Salah Salah. Head of the PLO Department of Refugee Affairs in Lebanon also Head of AJIAL research center. Personal Interview. August 2005.

<sup>4</sup>Suleiman, Jaber. “The Current Political, Organizational and Security Situation in the Palestinian Refugee Camps of Lebanon.” *Journal of Palestine Studies*. Vol. XXIX No.1 Issue 113 (1999): 66-80.

<sup>5</sup>Ibid

<sup>6</sup>Hudson Michael. (1997) “Palestinians and Lebanon: The Common Story” in *Journal of Refugee Studies*, Vol. 10, No. 3: 242-260.

a traumatic uprooting and the Lebanese welcomed the opportunity to help since they were essentially interpreting their presence as temporary. Upon their arrival in 1948, Palestinians were not required, under Lebanese law, to obtain a work permit to be able to work. Amin Lahoud who was the Minister of labour at the time, raised this issue in 1952.<sup>7</sup> The echoed rhetoric was that the Palestinians were taking job opportunities away from the Lebanese hence regulatory constraints needed to be introduced.

The subsequent collapse of the United Nations Conciliation Commission for Palestine (UNCCP), which was established by the UN General Assembly and was mandated to provide protection to Palestinian refugees, made it evident that the Palestinian issue would take longer than originally anticipated. Thus Palestinians began to be viewed as a security issue.<sup>8</sup> Accordingly the following years between 1958 until 1969 would be characterized as the phase during which the first crackdown activity took place.

#### *1958 – 1969: First Crack Down and Covert Activity<sup>9</sup>*

The beginning of this phase saw the Lebanese government take on a more aggressive attitude towards the Palestinians in turn subjecting the camps to tight control. Palestinians lived under the bleakest conditions and resentment arose towards the Lebanese. Such discontent would translate into the formation of the resistance movement of the 1960s. The most important group to mention is the Palestinian Liberation Organization (PLO) as it eventually consolidated its power on all camps. Their power would be institutionalized to some degree following the Cairo Accords signed between the PLO and the Lebanese state on November 3 1969, which marked the beginning of a new phase for the Palestinians.

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<sup>7</sup>Aasheim, Petter. The Palestinian Refugees and the Right to Work in Lebanon. Graduate Thesis. University of Lund, 2000.

<sup>8</sup>Jaber Sleiman. Advocates for the Right of Return. Notes from a meeting held with Cairo to Camps on 12 August 2005.

<sup>9</sup>Suleiman, Jaber. "The Current Political, Organizational and Security Situation in the Palestinian Refugee Camps of Lebanon." Journal of Palestine Studies. Vol. XXIX No.1 Issue 113 (1999): 66-80.

### *1969 – 1975: ‘Overt Activity and Institution Building’*

As a consequence of an increasingly militant and empowered Palestinian community in Lebanon, the 1969 Cairo Accords had to redefine the regulations that once governed refugee life in Lebanon. The Cairo Accords guaranteed refugees the right to work, residency, to form local committees in the camps, and to engage in armed struggle. During the 1968-1975 period, the Palestinians were, in effect, in control of the refugee camps. With the power of the PLO consolidated, they became the authority figure in the camps replacing the Lebanese. The Palestinian resistance movement assumed daily management of the refugee camps, providing security as well as a wide variety of educational, health and social services. With the transfer of PLO headquarters from Jordan to Lebanon following the events of Black September in 1970, Palestinians experienced a significant improvement in their status due to having representative power. The expanding power of the PLO in Lebanon led to the creation of a para-state. It is estimated that the PLO budget at the time exceeded that of the Lebanese state itself.<sup>10</sup> The Palestinian economy in Lebanon during these years was huge. But its strength would eventually lead to its weakness. The money was not properly invested since they focused on providing short-term needs without having a long term plan to institutionalize the rights of Palestinians in Lebanon. The PLO was not able to legitimize Palestinian labour or appease their presence amongst the Lebanese society. They never imagined their power would decrease and hence they did not take precautionary measures in case the status quo would change in Lebanon.<sup>11</sup> The decline was foreshadowed when the civil war erupted in Lebanon.

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<sup>10</sup>Hudson Michael. (1997) “Palestinians and Lebanon: The Common Story” in *Journal of Refugee Studies*, Vol. 10, No. 3: 242-260.

<sup>11</sup>Mahmoud Abbas (Abu Mejahed)-Director of the Children and Youth Center in Shatilla. Personal Interview. 27 August 2005.

### *1975 – 1982: Lebanese Civil War and the Israeli Invasion*

Although the civil war in Lebanon erupted in 1975, the PLO remained as the biggest and most important employer for refugees until the Israeli invasion in 1982. The PLO also served to channel huge amounts of money into Lebanon.<sup>12</sup> The Lebanese central authority was weakened due to the civil war, which in fact allowed for Palestinian political and military power to grow further. But this would last until 1982 when the Israeli invasion took place. The PLO was ousted from Lebanon which in turn left the Palestinian community completely unprotected.

### *1982 - 1989: The Israeli Invasion and The War of the Camps'*

Following the invasion, Palestinians suffered greatly at the hands of the Israeli military and the Lebanese militia groups. Events such as the massacre that took place in Sabra and Shatilla are a testament to that. The following years would also be marred with death and violence for the refugees.

The three-year period from 1985-1989, known as the War of the Camps, was marked by intense conflict causing extensive damage to the camps and thoroughly traumatizing their inhabitants. The Lebanese Amal militia launched a war against the Palestinian camps in Beirut and southern Lebanon with the aim to liquidate all pro-Arafat forces remaining in the country<sup>13</sup>. During this time the Lebanese Government abrogated the Cairo Accords. Thus the refugees were at their most vulnerable point, on all fronts, to human rights abuses.<sup>14</sup> These years of military turmoil and political strife would come to an end with the signing of the Ta'if accord in 1990.

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<sup>12</sup>Khaled Ayed. Institute for Palestine Studies. Personal Interview. 15 August 2005.

<sup>13</sup>Maher Yamani. Popular Front for the Liberation of Palestine. Personal Interview. 20 August 2005.

<sup>14</sup>Edminster, Steven. "Trapped on All Sides: the Marginalization of Palestinian Refugees in Lebanon." U.S Committee for Refugees. June 1999.

### *1990 – Present: ‘Ta’if Accord’*

These years mark the beginning of the most recent phase in the history of Palestinian refugees in Lebanon since the events that unravelled following the Ta’if Accord created the backdrop for the present status quo. The signing of the Ta’if accord provided the much-needed closure for the civil war and the return to political normalcy in Lebanon. With regards to Palestinians, the document stipulated a ban against the naturalization of Palestinians<sup>15</sup> while also banning all militia groups. For the first time in years the Lebanese authority was to be extended throughout the entire country, including the refugee camps. Hypothetically this renewed presence should not involve a security presence only. The government should extend its presence by also giving support to the residents of the camps in the form of a welfare system and social support. But in fact a visit to any of the refugee camps would reveal that this is not the case at all. The camps are completely left to their own demise.

Consequently the majority of the Palestinian workforce in Lebanon increasingly resorts to the informal economy as the only means of support. According to J.J. Thomas in his book *Informal Economic Activity*, the informal economy in “broad terms covers those activities which (...) are not recorded in the national income accounts, (...) [it] generally consists of small-scale producers and their employers, together with the self-employed working in the production of goods” (p 1). Palestinians constitute an important part of the Lebanese working force regardless of the fact that their contribution will not be included in any formal economic assessments.

Aside from the political and economic factors which have directly contributed to the strangulation of the majority of Palestinians since their arrival, hereafter I will focus on a particular element within the Lebanese context which serves to worsen the livelihood of Palestinians in Lebanon in comparison to neighbouring countries where

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<sup>15</sup>Jaber Sleiman. Advocates for the Right of Return. Notes from a meeting held with Cairo to Camps on 12 August 2005.

Palestinian communities also reside. These are the Lebanese labour laws whose outcome is to further complicate the relationship between Palestinians and Lebanese.

### **Lebanese Law and the principle of ‘Reciprocity’**

The core of the problem regarding the Lebanese legislative system in overseeing the participation of Palestinian labour in their economy is the fact that their labour law is essentially guided by the principle of reciprocity. The principle of reciprocity means that the Lebanese will grant foreign workers their rights in Lebanon in accordance to what right would be granted to Lebanese workers in their respective countries.<sup>16</sup> A fundamental problem arises regarding Palestinians. They do not have a state. And the Lebanese government, although outwardly supportive of the Palestinian cause, still chooses not to acknowledge the Palestinian Authority as a *de facto* state.

#### *Classification of foreign workers under Lebanese laws*

Lebanese labour law defines three work options for foreign workers; these are either work by membership in a syndicate, or work by attaining a work permit, or work where no permit is required.

##### *(a) Work under Syndicate*

For foreigners to work in syndicate professions the law of each syndicate dictates their inclusion/exclusion. Generally, either Lebanese nationality is required or the principle of reciprocity is to be applied.<sup>17</sup> Palestinians who obtained a Lebanese nationality are a minority and the principle of reciprocity does not apply to Palestinians.

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<sup>16</sup> Al Natour, Suheil. (1997), “The Legal Status of Palestinians in Lebanon” in *Journal of Refugee Studies*, Vol. 10, No. 3.

<sup>17</sup> Aasheim, Petter. *The Palestinian Refugees and the Right to Work in Lebanon*. Graduate Thesis. University of Lund, 2000.

Hence working under a syndicate is not possible for the majority of Palestinians in Lebanon.

*(b) Work requiring a permit*

Right for foreigners to work in Lebanon was limited by a law in 1962 entitled 'Law regarding entry to, Residency and Exit from Lebanon.' It calls for foreigners to obtain a work permit which covers a large majority of the pursued jobs. Later on Law No. 17561 in 1964 regulates the necessary prerequisites to obtain a work permit by specifying the concept of reciprocity.<sup>18</sup> This was followed by Ministerial Decision number 289/1 issued by Labour Minister Adnan Mrowe in 1982, which restricted most of the professions accessible to foreigners with the attainment of a work permit to Lebanese citizens only. Later on in 1995, Minister Assad Hardan with Ministerial Decision 621/1 defined the professions that are restricted to Lebanese citizens only (72 approximately) with few exceptions if work permits were attained. Exceptions were essentially based on the principle of reciprocity.<sup>19</sup>

When rare exceptions were granted amongst Palestinians, for those born in Lebanon, these were only met with further complications since in December 1995 Ministerial decision 62/1 had complicated the process for obtaining a work permit. The required paperwork to attain a work permit included: an official contract between employer and employee, an official declaration by the employer stating the number of foreigners employed, an official declaration stating that all required taxes have been paid, an employee identity card, accommodation certificate from the Local Chief, discharge document of clean record from the local police, and finally, approximately 800USD fees

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<sup>18</sup> Ibid

<sup>19</sup> Al Najjar, Mohammed, Rola Badran and Wassim Ahmed. "The Palestinian Refugee Situation." Advocacy Practicum for NGO's Representing Refugees in Lebanon-Conducted by the Palestinian Human Rights Organization (PHRO). June 2005. p 20.

(2002 rates). If a work permit is granted it is to be renewed every twelve months. Very few work permits are granted though; in 1995 only 100 were granted.<sup>20</sup>

Overall, such regulations led to a state of severe strangulation regarding the opportunities for Palestinians to obtain a job. Syndicated jobs were for nationals or for non-nationals when the principle of reciprocity applied. In the case of jobs requiring a permit: 72 jobs were prohibited to the non-nationals and when exceptions were granted these were based on the principle of reciprocity as well. Furthermore, when an exception was made, these were met with bureaucratic nuisances making it virtually impossible for a work permit to be obtained.

*(c) Work requiring no work permit*

Based on the abovementioned information the informal economy is the only real option for Palestinians to be able to obtain jobs in Lebanon. The majority of Palestinians are employed in the informal sector due to being both socially and economically confined. But working in the informal economy is not a solution free of complications or hindrances. Many Palestinians working in the informal economy are denied all sorts of rights, whether being granted social security or receiving a guarantee on pensions, they are also much underpaid and they encounter a lot of competition from other foreign workers who also partake in the informal economy.<sup>21</sup>

Thus, to conclude, there are no labour laws which address Palestinians in particular as a special foreign group in Lebanon. These combined deficiencies serve to create the present day dilemma.

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<sup>20</sup>“The Palestinian Right to Work and Own Property in Lebanon.” Palestinian Human Rights Organization. April 2003. P 5.

<sup>21</sup>Ali Huweidi. Palestinian Return Centre (Representative in Lebanon). Personal Interview. August 2005.

## **Ministerial memorandum by Lebanese Labour Minister Tarad Hamadah: June 2005**

According to the Lebanese legislative, every year the Minister of Labour is allowed to amend the jobs which are allowed or prohibited to foreign workers in Lebanon in accordance to the 1964 foreign labour law. In June 2005 Labour minister Tarad Hamada issued Ministerial decree number 67/1 which exempts Lebanese born Palestinians who are registered refugees from approximately 40 to 45 jobs which were previously restricted under Ministerial decision 621/1 to the 1964 law.<sup>22</sup> This amendment does not alter the fact that Palestinians are still not allowed to work in syndicated jobs. Hence in reality jobs of prime importance are still forbidden for the Palestinians. Also, this recent amendment does not abolish the fact that work permits are still required by law for Palestinians working in the now exempted fields.<sup>23</sup> More importantly, the ministerial memorandum that was issued is not legally binding seeing that “Lebanese law requires that all new legislation be published in the Official Gazette of Lebanese Legislation for it to be considered valid”<sup>24</sup>, which was not the case with the abovementioned memorandum. Some see the ministerial memorandum as a bold move from the labour minister but it still falls short from the kind of security that the Palestinians yearn for seeing that a safety net for Palestinian workers is still lacking.

Amongst the varying parties that were interviewed, there seemed to be a consensus that this decree needs to be presented as a law in order for it to be a true improvement and for it to be effective.<sup>25</sup> The recent ministerial decree is problematic in the sense that it could be easily revoked since it is not approved as a law. Any new

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<sup>22</sup>Tarad Hamada. Lebanese Labor Minister at the time. Personal Interview. August 2005.

<sup>23</sup>Ghinwa Mikdashi-Norwegian People’s Aid (Youth Program Coordinator). Personal Interview. 5 August 2005.

<sup>24</sup>Wadie, Said. (2001) “The Obligations of Host Countries to Refugees Under International Law: The Case of Lebanon”, in Nasser Aruri, ed. *Palestinian Refugees, The Right of Return*. Pluto Press, pp 138.

<sup>25</sup>Samirah Salah-PLO Department of Refugee Affairs. Personal Interview. 16 August 2005.

minister may simply over rule this decision. Hence it is vital for it to become a law in order to guarantee stability and security for the Palestinians.<sup>26</sup>

At a first glance it might be perceived that this amendment will enhance the status quo of Palestinians by granting them the right to work in areas which were previously forbidden, but the actual outcome is different. Palestinians already sought and obtained jobs in the fields related to this law but as part of the informal economy, in fact, this amendment would only serve to burden Palestinians with bureaucratic technicalities since they are now required by law to go through a lengthy and complicated procedure to obtain a work permit as abovementioned. Also, their rights won't be enhanced seeing that they are still not eligible to receive social services as this falls under the reciprocity principle.

Another important outcome from the recent ministerial memorandum involves the work of international organizations with Palestinians in Lebanon. After the ministry of labour announced the decree, internationally there was the impression that the Palestinian livelihood problem in Lebanon had been solved to a very large extent hence donors began retracting their money as seen in the case of organizations such as the Norwegian Peoples Aid.<sup>27</sup> On the ground, matters haven't changed. The decree only provides for a cosmetic improvement whereas the impression given abroad is that the Lebanese authorities are steadfast towards the removal of barriers which hindered the Palestinian livelihood.

In an overall assessment to the developments related to the most recent Ministerial decree, we can conclude that there are no real or substantial improvements. While this decree possibly serves to encourage further positive developments on behalf of the Lebanese government to take measures to relieve the situation of Palestinian

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<sup>26</sup>Ali Huweidi-Palestinian Return Center (Representative in Lebanon). Personal Interview. August 2005.

<sup>27</sup>Ginwa Mikdashi. Norwegian People's Aid Lebanon Office. Personal Interview. August 2005.

refugees, there won't be any real or long lasting improvement unless the Lebanese society as a whole accepts the inclusion of Palestinians into the social fabric which would in turn be translated into legislative measures granting Palestinians their long overdue civil rights.<sup>28</sup>

### *Way Forward?*

Many argue for the dire need to amend the law. Palestinians need to be viewed as a special case under Lebanese labour law. “[T]he absence of specific legislation addressing Palestinians’ unique situation has made them vulnerable to marginalization within the Lebanese polity, both as individuals and as a community.”<sup>29</sup> The majority of Lebanese are reluctant to allow for the provision of civil and political rights to Palestinians due to fears that this would eventually allow for the permanent resettlement of Palestinians in Lebanon. The main argument presented against the idea of their resettlement entails concerns over the demographic and sectarian balance in Lebanon. The current stance of the Lebanese government with regards to Palestinians seems to have a popular base amongst its citizens. One survey conducted found that 75 percent of Lebanese opposed the permanent integration of Palestinians in their country.<sup>30</sup> Hence the level of integration of Palestinians within Lebanon is traumatic; “[a] recent Lebanese study found that 65 percent had no contact of any kind with a Palestinian, while only 18 percent had a Palestinian friend.”<sup>31</sup> Simultaneously, there is an echoed rhetoric regarding the importance of the right of return hence the proper integration of Palestinians in

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<sup>28</sup>Suheil Natour-Democratic Front for the Liberation of Palestine. Personal Interview. 9 August 2005.

<sup>29</sup>Al Natour, Suheil. (1997), “The Legal Status of Palestinians in Lebanon” in Journal of Refugee Studies, Vol. 10, No. 3.

<sup>30</sup>Edminster, Steven. “Trapped on All Sides: the Marginalization of Palestinian Refugees in Lebanon.” U.S Committee for Refugees. June 1999.

<sup>31</sup>Sayigh, Rosemary. “Palestinian Refugees in Lebanon: No Work, No Space, No Future.” Middle East International. No. 656 (2001): 22-24.

Lebanon might dilute the urge to realizing it.<sup>32</sup> But this view on behalf of the Lebanese ignores the difference between the two sets of rights which Palestinians seek.

On the one hand, the rights of Palestinians as refugees focus on their right of return to their homes and the right to receive compensation for their losses. These rights are absolute and cannot be either abrogated or negotiated away on their behalf. The second sets of rights are their civil rights within Lebanon. The notion that extending civil rights for Palestinians will in some way negate their rights as refugees is a mistaken one. Palestinians posses, as do all, whether citizens or non-citizens, basic human rights. They ultimately have rights both as refugees and as human beings and the enjoyment of both is in no way mutually exclusive.<sup>33</sup>

### **Present-day living Conditions for Palestinian refugees in Lebanon**

A study conducted by the Norwegian research institute, FAFO, provided some key findings illustrating the living conditions of Palestinians in Lebanon. Its conclusions highlight the fact that they are currently better than what the first generation of refugees encountered, but in comparison with the experience of Palestinian refugees in other countries, development is faltering. We could safely say that living conditions have stagnated and, in many respects, deteriorated. In Lebanon the exclusion of refugees from the Lebanese labour market through a number of mechanism puts households in general, but young refugee men in particular, in a unique position in comparison to refugees elsewhere.<sup>34</sup> A report issued by the PLO Department of Refugees Affairs in Lebanon also highlights several factors leading to the progressive deterioration of socio-economic conditions for Palestinian refugees in Lebanon. These include the following: the

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<sup>32</sup>Aasheim, Petter. The Palestinian Refugees and the Right to Work in Lebanon. Graduate Thesis. University of Lund, 2000.

<sup>33</sup> Al Natour, Suheil. (1997), “The Legal Status of Palestinians in Lebanon” in Journal of Refugee Studies, Vol. 10, No. 3 p 376.

<sup>34</sup>Tiltner, Age A. “Falling Behind: A Brief on the Living Conditions of Palestinian Refugees in Lebanon. Fafo. 2005.p 9

retraction of UNRWA services due to serious budgetary constraints thus the needs of the Palestinian community are not being met; the institutions of the PLO are no longer able to meet the needs of the camp population (this is primarily due to the political retraction witnessed on behalf of the Palestinian Authority); lastly, following the end of the Lebanese civil war and the signing of the Oslo Accords most international organizations terminated their operations in Lebanon and their focus shifted instead to the Occupied Territories under the false assumption that a new era following the culmination of the civil war would lead to a general state of prosperity in the country.<sup>35</sup>

### *Unemployment*

Unemployment amongst Palestinians remains high although it is somewhat difficult to know the precise figures. This is because there are no official means to corroborate any obtained measures since most Palestinian workers are part of the informal economy. Some of the people interviewed put the estimate of unemployment at around 40% but many would say it should actually be 90%. This wide range is due to the fact that most Palestinians have seasonal employment. They might work one day and the rest of the week they do not, but statistically they are considered employed.<sup>36</sup>

According to the FAFO report the following statistics are made available. “Long-term unemployment is characteristic of the refugees in Lebanon out of work, especially those with high education. For half of the unemployed, the unemployment period has lasted for two to six months, while for 20 percent it has lasted for seven to twelve months. Ten percent of unemployed refugees have not been economically active

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<sup>35</sup>“Palestinian Camps in Lebanon: Existing Conditions and Needs.” PLO Department of Refugee Affairs in cooperation with Friedrich Ebert Foundation. June 1998. P 7.

<sup>36</sup>Ghinwa Mikdashi-Norwegian People’s Aid (Youth Program Coordinator). Personal Interview. 5 August 2005.

during the past two years. The main reason reported by refugees for their jobless situation was the legal situation of Palestinian refugees in Lebanon.”<sup>37</sup>

#### *Palestinians not an economic burden as perceived in Lebanon*

It is important to note that the Palestinian labour force doesn't constitute a burden for the Lebanese fabric as has been proclaimed before. Several economic booms witnessed throughout Lebanese history were primarily due to Palestinian capital being invested in the country.<sup>38</sup> Of importance to highlight is the fact that, in comparison to other foreign workers presently in Lebanon, Palestinian labour constitutes the only group which spends their entire earnings in Lebanon without sending them as remittances abroad.<sup>39</sup>

#### *Role of the United Nations Relief and Works Agency -UNRWA*

Palestinian refugees in Lebanon can be divided into the following three categories: those who are registered by both UNRWA and the Lebanese authorities, those who are registered by the Lebanese government but not UNRWA, and, finally, those who are not registered at all. Registered refugees include those who were forced out of Palestine in 1948 alongside their decedents. The non-registered refugees constitute the refugees who came to Lebanon in subsequent waves of migration. They were registered only with the Lebanese ministry of interior. Up until 2004 UNRWA provided them only with basic services. UNRWA Registered Refugees, according to the most recent figures of June 2005, add up to 401, 071 amounting to approximately 10 percent

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<sup>37</sup>Tiltnes, Age A. “Falling Behind: A Brief on the Living Conditions of Palestinian Refugees in Lebanon. Fafo. 2005. p 23-24

<sup>38</sup>Khaled Ayed. Institute for Palestine Studies. Personal Interview. August 2005.

<sup>39</sup>Jaber Sleiman. Advocates for the Right of Return. Notes from a meeting held with Cairo to Camps. August 2005.

of the Lebanese population.<sup>40</sup> Approximately 53 percent of this number resides within the twelve registered refugee camps scattered throughout the country. The remaining populous live in various Palestinian communities located throughout the country. On the other hand, the total of non-registered refugees according to UNRWA is estimated to be around 35,000.<sup>41</sup> Finally, the Non-Identified refugees include some 5,000 Palestinians (some in fact elevate their total number to be around 15,000) these receive absolutely no services either from UNRWA or from the Lebanese government.<sup>42</sup> So according to these figures the Palestinian refugees living in the direst of circumstances (since they fall out of UNRWA mandate) are those living outside the refugee camps alongside the unregistered refugees (whether unregistered with UNRWA or the Lebanese government). Estimate of number: 189,000 (47% of registered refugees who do not live in the camps) + 5000 approximately (Not registered at all, whether with Lebanese government or UNRWA) = 194,000 approx.

The relation between the Palestinians and UNRWA is not the problem; the problem is in the status of Palestinian refugees in Lebanon and the lacking domestic mechanisms to support UNRWA's role. There are no social or civil rights granted. This in turn adds a heavy burden on the UNRWA agenda in Lebanon.<sup>43</sup> In an attempt to ameliorate these conditions, today UNRWA does not differentiate between registered and non-registered refugees in granting services. In UNRWA's initial mandate it was stipulated that services were to be provided to registered refugees only. In 2004 the

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<sup>40</sup>Hoda Samra. Public Information Officer at the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA). Personal Interview. August 2005.

<sup>41</sup>Ibid

<sup>42</sup>"The Palestinian Right to Work and Own Property in Lebanon." Palestinian Human Rights Organization. April 2003. p 2-3.

<sup>43</sup>Hoda Samra-Public Information Officer at the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA). Personal Interview. 23 August 2005.

services provided by UNRWA to non-registered refugees increased. Now they receive the exact same services as the registered refugees.<sup>44</sup>

#### *UNRWA's resources in Lebanon compared to other Arab countries*

A comparison between the activities of UNRWA in relation to neighbouring Arab countries reveals a serious problem highlighted in a policy of aid bias. In 1992-93, for example, Lebanon received 11.8 percent of UNRWA expenditures, compared to 31.8 percent for Gaza and 22.4 percent for the West Bank. Adjusted to population size, these sums translate into per capita distributions of \$298 for Gaza, \$264 for the West Bank, and \$204 for Lebanon.<sup>45</sup>

In trying to address this issue UNRWA has an aid program for special hardship cases, assisting refugees with insufficient income. 11.4 percent of the registered refugees in Lebanon are covered by this program as of June 2005, the highest percentage among Palestinian refugees in the Middle East; compared to 2.6 percent in Jordan and 7.2 in Syria, 8.7 percent in Gaza and 6 in the West Bank.<sup>46</sup> There is a very strict criterion in order for a family to be categorized under the special hardship cases and still the number of special hardship cases in Lebanon is the highest. This is indicative of the terrible livelihood conditions for Palestinians in Lebanon.<sup>47</sup>

#### *Current Palestinian leadership in Lebanon*

The Cairo Agreement of 1969 called for the establishment of Committees in each of the refugee camps which would serve as an overarching entity in charge of supervising

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<sup>44</sup>Ibid

<sup>45</sup>Sayigh, Rosemary. (1995) "Palestinians in Lebanon: Harsh present, Uncertain Future" in Journal of Palestine Studies, Vol. XXV, No. 1: p 38.

<sup>46</sup> UNRWA figures as of June 2005.

<sup>47</sup>Hoda Samra-Public Information Officer at the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA). Personal Interview. 23 August 2005.

and organizing matters in the day to day running of the camp.<sup>48</sup> Thus, current Palestinian leadership in Lebanon can be vaguely depicted at the camp level in the form of the Popular Committees. These committees include a representative from each faction usually alongside several independent members who are elected by the camp residents. These committees continue to function throughout the various camps although with dramatically reduced resources and power.<sup>49</sup> Therefore “[i]n terms of identifying leadership among the refugees of Lebanon, the most that can be said with any certainty is that the situation remains ambiguous, amorphous and highly localized.”<sup>50</sup>

During the golden years the Committees had enough funds to focus on issues such as building the infrastructure of camps and providing services. But a long-term problem in the nature of the Committee arose. Funds provided by the PLO were directed solely towards short-term needs without having a long-term plan for the institutionalization of Palestinian rights in Lebanon.<sup>51</sup> Currently the Committees do not have people who are specialized academics or officials to supervise and take charge of all the varying needs of the camps hence the outcomes were falling short of the required needs. The substandard nature of today's committees leaves Palestinians with no support system from within to provide refugees with basic needs and services.

#### *Recent lobbying efforts for the realization of Palestinian civil rights*

A series of campaigns have been underway within the Palestinian community, involving both citizens and organizations, calling for increased civil rights; primarily highlighting the importance for Palestinians to be granted the right to work. As Samirah

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<sup>48</sup>Mahmoud Abbas (Abu Mejahed)-Director of the Children and Youth Center in Shatilla. Personal Interview. August 2005.

<sup>49</sup>Ibid

<sup>50</sup>Peteet, Julie M. “Lebanon: Palestinian Refugees in the Post-War Period.” Refworld (December 1997): 19 pp. 12 August 2005 <http://www.unhcr.ch/refworld/country/writenet/wrlbn.htm> p 5.

<sup>51</sup>Mahmoud Abbas (Abu Mejahed)-Director of the Children and Youth Centre in Shatilla. Personal Interview. August 2005.

Salah from the PLO Department of Refugee Affairs in Lebanon explained, as of May 2005 their office organized a campaign calling for more rights to be provided for the Palestinians in Lebanon. The overarching theme of the campaign calls for the realization of their civil rights under which the right to work is integrated. The campaign promptly tied the right of return to their cause so as to derail thoughts that Palestinians want to remain in Lebanon.<sup>52</sup>

Similarly Najdeh Association, an active Palestinian NGO, has launched a campaign in 2005 aiming to tackle the ensuing problem of lacking civil rights for the Palestinians in Lebanon. They believed it was time to launch a labour campaign tackling the prevalent obstructions in the Lebanese law. This campaign aimed to raise awareness on the rights of Palestinians amongst the Lebanese while simultaneously advocating for the realization of these rights.<sup>53</sup>

### **Concluding remarks: Consequences of ministerial memorandum.**

As was clear while conducting the field research in the summer of 2005, the majority of Palestinians in Lebanon have not been very welcoming towards the ministerial memorandum. (This is obviously contrasted with the statements made by the Palestinian Authority in which the labour minister was commanded for his efforts and the ministerial decree was portrayed to be an important turning point in granting rights to the Palestinians).<sup>54</sup> The decision is generally perceived amongst Palestinian refugees to be mediocre. The jobs that the new amendment allows for, are those that Palestinians already undertake but as part of the informal economy. With the new amendment Palestinians are now going to have to pay for work permits which were not required from them previously by law in order to pursue work in the same fields. This becomes an

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<sup>52</sup>Samirah Salah-PLO Department of Refugee Affairs. Personal Interview. 16 August 2005.

<sup>53</sup>Laila El Aly. Director of The Najdeh Association. Personal Interview. 18 August 2005.

<sup>54</sup>“Palestinian Leaders Hail Lebanon’s Decision Allow Palestinian Refugees to Work.” Lexis Nexis. July 18 2005. Keyword: Palestinian Refugees in Lebanon.

added burden on Palestinians. A bureaucratic technicality on their shoulders; the outcome is that Palestinians are in fact more constrained seeing that the work permit will not grant them any further rights such as equalled wage opportunities in comparison to their Lebanese counter parts or attainment of insurance which they are still required to pay for by law.<sup>55</sup>

*Brief Re-cap*

-UNRWA falling short from being able to properly assist them due to lacking resources.

-Palestinians unable to help themselves to a large degree: no representative power and no resources (as evident in the case of the Committees).

-Palestinians not befalling properly under Lebanese laws in order to have their basic rights met. Though ministerial decree could be taken as a step in the right direction, the view of it having positive effects is actually misleading because:

1 Ministerial decree is not an amendment to the law. Hence could be easily revoked once a change of cabinet takes place.

2 The decree does not address the issue of allowing Palestinians to pursue syndicated jobs consequently the educated Palestinians are still in a dilemma.

3 The ministerial decree is related to positions already filled by Palestinians as part of the informal economy. The decree only serves to add a bureaucratic burden on Palestinians in order to obtain a work permit.

Finally, one could characterize the Palestinian refugee experience in Lebanon as one of perpetual crisis. The initial trauma of dispossession was followed by years of war, sieges and massacres. The livelihood crisis involves different kinds of violence as well. The continuing refusal by Israel to repatriate the refugees and the host country's refusal

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<sup>55</sup>Ghassan Saied Abdullah-General Director of the Palestinian Human Rights Organization. Personal Interview. 5 August 2005 and 9 August 2005.

to ease the severe restrictions, which make normal life impossible to the refugees, are themselves forms of violence.<sup>56</sup>

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<sup>56</sup> Peteet, Julie M. "Lebanon: Palestinian Refugees in the Post-War Period." Refworld (December 1997): p 14. 12 August 2005 <<http://www.unhcr.ch/refworld/country/writtenet/wrilbn.htm>>

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