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Written statement* submitted by The Palestinian Return Centre Ltd, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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The Human Rights Violations against Palestinian Refugees in Lebanon

According to UNRWA's records as of July 2014 there are 449,957 registered Palestinian refugees in Lebanon.¹ 53% of these refugees reside mainly in the country's 12 refugee camps, most of which suffer from poverty, overcrowding, unemployment, poor housing and failing infrastructure.² The situation of Palestinian refugees in Lebanon is alarming. Of the five areas in which UNRWA operates, Lebanon has the highest percentage of Palestinian refugees living in abject poverty.³

Lebanon has ratified human rights treaties including the International Covenant on Civil and Political Rights (ICCPR) the International Covenant on Economic and Social Rights (ICESCR), which make it liable to respecting, protecting and fulfilling a number of human rights predicated to its Palestinian refugee population.

Freedom of Movement

Freedom of movement is but one of many rights which Lebanon denies its Palestinian refugees. Article 12 of the ICCPR states that 'everyone lawfully within the territory of a State shall, within that territory have the right to liberty of movement and freedom to choose his residence.'⁴ The ICCPR further emphasises the impermissibility of discrimination between persons residing in a given state. Article 2 (1) mentions that each State Party 'undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognised in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.'⁵

Regardless of Lebanon's ratification to the ICCPR, its treatment of the Palestinian refugees contravene its obligations under international law. In reality, refugees are 'prohibited from living in border areas in the South, are only allowed to go near the border crossing with prior authorised permission from the Lebanese Military Intelligence, and if Palestinian refugees wish to leave or enter certain refugee camps in the South, they are subjected to identity checks carried out by the Lebanese Army Checkpoints surrounding the camps.'⁶ Since Lebanon allows its citizens and other foreign residents to travel freely within Lebanon, its limitations imposed on the Palestinian refugee community are discriminatory.

Lack of Economic Opportunities and Employment

The lack of economic opportunities and employment is a marker of the situation of Palestinian refugees in Lebanon. Under international law, Lebanon is bound to respect the rights contained in the ICESCR, which it ratified in 1972. Article 6 of the ICESCR states that 'Parties to the present Covenant recognise the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.'⁷

However, the Lebanese laws concerning the employment of Palestinian refugees breach its obligations under international law. For starters, economic opportunities for non-Lebanese nationals within Lebanon are safeguarded by reciprocity. Article 59 of the Law of Work for Foreigners 1946 grants non-Lebanese workers with the same rights as Lebanese workers provided that their country of origin offers the same to any Lebanese nationals in their territory. As

1 "Lebanon." UNRWA, www.unrwa.org/where-we-work/lebanon.

2 Ibid

3 Ibid

4 UN General Assembly, *International Covenant on Civil and Political Rights*, 16 December 1966, United Nations, Treaty Series, vol. 999, p. 171, available at: <<http://www.refworld.org/docid/3ae6b3aa0.html>>

5 Ibid

6 Al-Najjar, Mohammad, et al. *The Palestinian Refugees Situations in Lebanon*. Palestinian Human Rights Organisations, 19 June 2005. P. 16 www.palhumanrights.org/rep/ENG/pal-ref-situations-05.pdf

7 UN General Assembly, *International Covenant on Economic, Social and Cultural Rights*, 16 December 1966, United Nations, Treaty Series, vol. 993, p. 3, available at: <http://www.refworld.org/docid/3ae6b36c0.html>

Palestinian refugees hold no official nationality, they are excluded from the benefits of this law and are denied the work-rights accorded to other foreigners working in Lebanon.⁸

Additionally, other Lebanese laws have imposed multiple obstacles to the Palestinian refugees' employment opportunities.

- Firstly, Ministerial Decree No. 621/1 of 1995 declared over 50 professions for Lebanese citizens only including banking, medicine and law.⁹
- Secondly, 30 professions require membership in a syndicate either in Lebanon or in the worker's original country of nationality. Given the applicability of the reciprocity policy, Palestinian refugees are also excluded from the right to work in professions requiring syndicate membership.¹⁰
- Thirdly, Palestinian refugees cannot own any business enterprises unless there is a Lebanese partner.¹¹

Such obstacles have caused the unemployment of 56% of the Palestinian refugee working age population¹² and ensured that two out of three Palestinian refugees subsist on less than \$6 a day,¹³ making them Lebanon's lowest national income group.¹⁴

Lack of Education

The right of everyone to education has been enshrined in Article 13 of the ICESCR¹⁵ as well as in Article 2816 of the Convention on the Rights of the Child, which Lebanon ratified in 1991. Most importantly, Article 5 of CERD includes the right to education under those, which state parties ought to guarantee 'without distinction as to race, colour, or national or ethnic origin.'¹⁷

In spite of its obligations under international law, the Lebanese law of education, Law no. 686 of 1998 restricts public education to citizens only, but allows for the acceptance of non-nationals in specific situations.¹⁸ However, despite this exception, only 11% of foreign children do access public education.¹⁹ Consequently, the Palestinian refugee community is wholly dependent on UNRWA's services, which is struggling to cope with the added number of Palestinian refugees from Syria. According to UNRWA's Programme Budget, which supports the delivery of core essential services, operates with a large shortfall.²⁰ This inevitably results in stagnation in the quality of services provided and a decrease in the chances of educational attainment for many refugee children. In fact, UNRWA estimates

⁸ Ibid P. 20

⁹ Hammond, Nora. "Examining and Contextualizing Human Right Violations Against Palestine Refugees Living in Lebanon." *World Outlook*, no. 44, 2013, P. 47–63., <sites.dartmouth.edu/worldoutlook/files/2013/09/Fall-2013-Issue-441.pdf#page=47.>

¹⁰ *Palestinian Refugees in Lebanon*. Anera, 2012, *Palestinian Refugees in Lebanon*, www.anera.org/wp-content/uploads/2013/03/LEBRefugeeReport.pdf.

¹¹ Ibid

¹² Chaaban, J., Ghattas, H., Habib, R., Hanafi, S., Sahyoun, N., Salti, N., Seyfert, K., Naamani, N. (2010), "Socio-Economic Survey of Palestinian Refugees in Lebanon", Report published by the American University of Beirut (AUB) and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

p. x <https://www.unrwa.org/userfiles/2011012074253.pdf>

¹³ Ibid, p. xi

¹⁴ Laurie Blome Jacobson. *Finding Means: UNRWA's Financial Situation and the Living Conditions of Palestinian Refugees*. Oslo: Fafo Report 415, 2003, p. 40.

¹⁵ UN General Assembly, *International Covenant on Economic, Social and Cultural Rights*, 16 December 1966, United Nations, Treaty Series, vol. 993, p. 3, available at: <http://www.refworld.org/docid/3ae6b36c0.html>

¹⁶ UN General Assembly, *Convention on the Rights of the Child*, 20 November 1989, United Nations, Treaty Series, vol. 1577, p. 3, available at: <<http://www.refworld.org/docid/3ae6b38f0.html>>

¹⁷ UN General Assembly, *International Convention on the Elimination of All Forms of Racial Discrimination*, 21 December 1965, United Nations, Treaty Series, vol. 660, p. 195, available at:

<<http://www.refworld.org/docid/3ae6b3940.html>>

¹⁸ "Palestinian Refugee - Education ." *The Lebanese Palestinian Dialogue Committee*, www.lpdc.gov.lb/education/the-palestinian-student-in-the-lebanese-educationa/48/en.

¹⁹ Shuayb, Maha. *The Art of Inclusive Exclusions: Educating the Palestinian Refugee Students in Lebanon*, *Refugee Survey Quarterly*, Volume 33, Issue 2, 1 June 2014, Pages 20–37, <<https://doi.org/10.1093/rsq/hdu002>>

²⁰ "Denmark Contributes DKK 25 Million to UNRWA to Support Palestine Refugees in Lebanon." UNRWA, 8 Feb. 2017, www.unrwa.org/newsroom/press-releases/denmark-contributes-dkk-25-million-unrwa-support-palestine-refugees-lebanon.

that half of Palestinian teenagers leave school before their education is complete.²¹ Thus ensuring education to all, and working to improve it, is vital to the development of Palestinian lives in Lebanon since it was found that ‘if the household head has attained education above the primary level, the likelihood of being extremely poor (living on less than US\$2.17 per day) is reduced by half.’²²

Palestine Refugees from Syria (PRS)

PRS residing in Lebanon also experience multiple human rights violations. As of 4 September 2015, there were 11,538 Palestine refugee families from Syria recorded with UNRWA living in Lebanon.²³ Almost 90% of them are under the poverty line and 95% are food insecure.²⁴ In terms of education, a ‘very low porportion of 6-18 year-old PRS children are currently enrolled in school (57.64%); 34.12% were previously enrolled.’²⁵

PRS face a number of restrictions as a result of their lack of legal status including in regards to birth/marriage registration, right to work, right to property, and freedom of movement.²⁶ PRS’s legal status is predicated on the fact that most of them cannot afford to renew their residency visas. According to TATWIR (2015), the overwhelming majority (85.7%) of Palestine Refugees from Syria living in Lebanon had no valid legal residency.²⁷ In 2017, UNRWA requires US\$ 60.5 million to provide continued emergency support to PRS in Lebanon.²⁸

Conclusion

The report highlights the harsh reality of the lives of Palestinians in Lebanon. Most importantly, it underscores the flagrant human rights violations perpetrated against the Palestinian refugees by both the Lebanese and Israeli governments. The Israeli government is complicit in the violations of the rights of Palestinian refugees committed by host countries as it is the direct cause of their expulsion in 1948, and its application of an apartheid-like ‘right of return’ exclusive to Jewish people²⁹ ensures the perpetuity of the Palestinians’ refugee status and struggle. The disregard to the human rights of Palestinian refugees as enshrined by international law has profound implications for the overarching system as a whole. Accordingly, the Palestine Return Centre calls on Mr. President and the Distinguished Members of the Council to:

- Demand the Lebanese government to comply with the international treaties which it has ratified including the ICCPR, the ICESR, the CRC, and the CERD, as compliance would ensure the protection and fulfillment of the human rights of Palestinian refugees
- Take strong measures to pressure Lebanon to end its discriminatory policies against its Palestinian refugee population in the sectors of education, health and employment.
- Provide support to the Lebanese government as it struggles to cope with its refugee crisis
- Aid UNRWA’s programme till such a time a solution is implemented.

²¹ *21 Palestinian Refugees in Lebanon*. Anera, 2012, *Palestinian Refugees in Lebanon*, www.anera.org/wp-content/uploads/2013/03/LEBRefugeeReport.pdf.

²² “Education UNRWA Lebanon 2011.” 2011. <<https://www.unrwa.org/userfiles/2011100225829.pdf>>

²⁴ Abdulrahim, Sawsan, and Jana Harb. *Pro Ling the Vulnerability of Palestine Refugees from Syria Living in Lebanon 2015*. UNRWA, 2015, *Pro Ling the Vulnerability of Palestine Refugees from Syria Living in Lebanon 2015*, P. 7, <www.unrwa.org/sites/default/files/final2_6_october_final_version-_profiling_the_vulnerability_of_prs_in_lebanon_-_assessment.pdf>

²⁵ *Ibid*, P. 8

²⁶ “PRS in Lebanon.” UNRWA, www.unrwa.org/prs-lebanon.

²⁷ TATWIR Strategic Studies and Human Development, 2015 Needs Assessment of Palestinian Refugees from Syria – Survey Results

²⁸ “PRS in Lebanon.” UNRWA, www.unrwa.org/prs-lebanon.