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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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* Issued as received, in the language(s) of submission only.



Lebanon's new labor law discriminates against Palestinian Refugees

There are approximately 470,000 registered Palestinian refugees in Lebanon according to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). However, since the start of the Syrian Civil War in 2011, many Syrian-Palestinian refugees -in addition to Syrian nationals- fled the country to seek shelter in Lebanon.¹ The majority of Palestinian refugees in Lebanon live inside the 12 officially recognised refugee camps and are stateless. Most of them are second generation refugees, descendants of those who fled Palestine in 1948 as a consequence of the Nakba.

Palestinians in Lebanon are an extremely fragile category; the legal barriers imposed by the Lebanese Ministry of Labor prevent most Palestinian refugees from fully enjoying their human, social and economic rights in the same way most migrant workers do. Palestinians in refugee camps live in poverty, face overcrowding, lack of fundamental infrastructures, unemployment and poor housing conditions.²

Palestinian Refugees in Lebanon: living conditions

In a report from 2017, UNRWA estimated that 65% of Palestinian refugees in Lebanon live below the poverty line. The refugee camps have become, over the years, a maze of narrow alleys and tall buildings, characterised by extremely poor housing and infrastructures. The more recent migration flow from the Syrian Arab Republic led to an increase in the number of refugees living in the camps which were already considered overcrowded. In addition, it is almost impossible for the inhabitants of the camps to improve their living standards due to the several restrictions imposed by the Lebanese government. For instance, no building materials are allowed to leave or enter the camps.³

Moreover, while in the past foreigners in Lebanon were allowed to own properties up to a certain size, in 2001 the Parliament adopted amendment 296 to the Presidential Decree 11614 which excludes people without a 'recognised nationality' -i.e. Palestinians- from owning any property. In case the property was acquired before 2001, this law would prevent such individuals from bequeathing it.⁴

Poverty in refugee camps is due to the extremely high unemployment rate and the uncertainty of most job occupations. In 2015, the unemployment rate amongst Palestinian refugees was 23.2%, with 36% of Palestinian refugees finding employments in low-skilled and low-salary jobs only. The 2005 and 2010 changes to the Lebanese law have initially improved the conditions of Palestinian refugees, formally providing them with the right to access a wider range of employments and also granting them partial access to the National Social Security Fund. Nonetheless, they are still required to obtain an annual permit to work which involves a lengthy process and depends on the willingness of the employer to provide. Furthermore, some liberal professions -e.g. medicine, engineering, law- have not been required to amend their bylaw and, as a consequence, Palestinians are still prevented from finding occupation in these fields.⁵

¹ UNRWA, Where We Work. Available at: <https://www.unrwa.org/where-we-work/lebanon>.

² Ibid.

³ UNRWA, Protection Brief, Palestinian Refugees Living in Lebanon, 2017. Available at: https://www.unrwa.org/sites/default/files/lebanon_protection_brief_october_2017.pdf.

⁴ Hanafi, S., Palestinians in Lebanon: Status, governance and security. In: Reconciliation, reform and resilience: positive peace for Lebanon, Accord (24), 2012, pp. 67-69. Available at: https://www.c-r.org/downloads/Accord24_Lebanon_ENG_0.pdf.

⁵ UNRWA, Protection Brief, Palestinian Refugees Living in Lebanon, 2017, *idem*.

New implementation of Lebanese labor law

Last July the refugee camps around Beirut provided the setting for a wave of protests. Palestinian refugees gathered in the Lebanese capital to demonstrate against the decision of the Ministry of Labor to shut down two Palestinian-owned businesses. These actions were taken following the decision of the government to regulate businesses hiring foreign workers without permits.⁶

The Labor Ministry had announced in June a thirty-day deadline for employers to obtain working permits for employees who did not possess any. Businesses and companies who did not comply were closed down by the government once the deadline had expired. Since 2010, Palestinian workers have not been required to pay to obtain a work permit and could work low-salary jobs without one. However, Palestinian business owners still had to pay 25% of the standard fee; therefore they were not totally exempted.⁷ Although some argue that the rule was implemented with the aim of targeting Syrian refugees migrated to Lebanon after 2011, some others are convinced that this move will have an extremely negative impact on Palestinian refugees despite the fact that most of them were born and have lived their whole life in Lebanon.⁸ The programme launched by Camille Abu Suleiman, the Lebanese Labor Ministry, requires every business to acquire work permits for foreign workers and for every business owned by a non-Lebanese to be composed of 75% Lebanese employees.⁹

Palestinian refugees fear that the implementation of these measures could lead to even higher rates of unemployment and loss of current jobs as the employers will now have to pay a fee to correct the legal status of their employees, provide social security and offer minimum wage.¹⁰ Most Palestinians in Lebanon live in precarious conditions and they are, to a large extent, relying on the aid of UNRWA (United Nations Relief and Works Agency for Palestinian Refugees in the Near East) for schooling, healthcare and sustenance of the family. For this reason, the Palestinian Authority appealed to the Lebanese government to make an exception for Palestinian refugees, as they are physically prevented from returning to their own country.¹¹

The new implementation of these measures came in the context of the emergence of the US-drafted 'deal of the century' and the Lebanese government was accused of trying to put pressure on the Palestinians and the PA in the West Bank in order to prepare the ground for the acceptance US-led initiatives.¹² With the implementation of these new measures, the Lebanese government seems to want to discourage the Palestinian refugees from staying in the country, even though the majority of them have been living their whole life in Lebanon pending the implementation of the Right to Return.

It is, in the interest of both Palestinian refugees and the Lebanese government to see the Right to Return implemented. However, as Palestinians have been granted refugee status by international law and as they have been residing in Lebanon for over 70 years, it is

⁶ Palestinians in Lebanon protest crackdown on unlicensed workers, Aljazeera.com. Available at: <https://www.aljazeera.com/news/2019/07/palestinians-lebanon-protest-crackdown-unlicensed-workers-190716183746729.html?xif=>.

⁷ Ibid.

⁸ In Lebanon, Palestinians Protest New Employment Restrictions, npr.org. Available at: <https://www.npr.org/2019/07/26/745041157/in-lebanon-palestinians-protest-new-employment-restrictions?t=1565870527655>.

⁹ Lebanon Exempts Palestinian Refugees From Foreign Worker Clampdown Following Protests, Haaretz.com. Available at: <https://www.haaretz.com/middle-east-news/.premium-palestinians-in-lebanon-take-to-the-streets-over-foreign-worker-clampdown-1.7536544>.

¹⁰ Palestinians reject Lebanon's move to regulate foreign labor, almonitor.com. Available at: <https://www.al-monitor.com/pulse/originals/2019/08/lebanon-ministry-labor-foreign-workers-palestinian-refugees.html>.

¹¹ Lebanon Exempts Palestinian Refugees From Foreign Worker Clampdown Following Protests, Haaretz.com, *idem*.

¹² Ibid.

fundamental that they see their rights as refugees respected and implemented, it is fundamental that they are granted the right to live with dignity.

Lastly, the Lebanese government has signed and ratified both the International Convention on Elimination of all Forms of Racial Discrimination and the Discrimination (Employment and Occupation) Convention. Both international documents prohibit employers and states to implement discriminatory laws based on ethnicity, nationality, origins or colour. Laws or regulations that would prevent a specific ethnic group from enjoying the same human, social and economic rights as the nationals of the country are to be considered a violation of the two documents.¹³

Conclusion

PRC is deeply concerned about the new implementations of the Lebanese Labor Law by the Lebanese government. This crackdown on businesses hiring foreign workers could have an extremely negative impact on the living conditions of the Palestinian refugees living in the country.

PRC would like to express its concerns for the actions taken by the Lebanese government that led to the dismissal of hundreds of Palestinian refugees from their workplace. The Lebanese government should keep into account the internationally recognised refugee status that Palestinians have been granted by the international community pending their return to Palestine. We urges the Lebanese government to halt the crackdown on Palestinian refugees and to respect their legal and political status which is recognised by the United Nations.

PRC also calls on the Lebanese Ministry of Labor to end these measures as they are deeply damaging for the social, economic and human rights of the Palestinian refugees, constituting institutionalised discrimination and damaging even further the precarious living conditions of the Palestinians.

Finally, we recall that the Israeli government holds responsibility for the violations against Palestinian refugees in Lebanon as their denial to recognise their right of return is the primary cause of the refugees' plight.

¹³ Treatment of Palestinian refugees in Lebanon, hrbrief.org. Available at: <http://hrbrief.org/2015/02/treatment-of-palestinian-refugees-in-lebanon/>.