



With Palestine, against the Palestinians

The Warehousing of Palestinian Refugees in Lebanon

by Lisa Raffonelli

"We are against the settlement of the refugees in any country, but the host countries should provide the refugees with a dignified living.... The host countries should allow the refugees to work, to live and to move in dignity until they achieve their right of return."—Palestinian Cabinet member, Saeb Erekat, in December 2003.

Palestinian refugees in Lebanon live in some of the worst conditions outside the Occupied Territories—exiled to decaying refugee camps and barred from schools, hospitals, jobs, and city halls across the country. For more than 55 years, Lebanon has systematically imposed a host of draconian restrictions on resident Palestinians to prevent their integration and to signal to the international community that it considers Palestinian refugees to be an international, not a Lebanese, problem.

The government of Lebanon rules out all discussion of refugee rights by raising objections to the permanent *implantation* of Palestinians into Lebanese society. It argues that an implantation—*tawteen* in Lebanese political jargon—will tip the political balance of religious and ethnic groups in the country. The *tawteen* issue, however, involves naturalization of the refugees rather than interim rights pending a durable solution. Lebanon considers the issues to be one and the same, and treats the Palestinian refugees as a security problem, rather than a humanitarian crisis. In this paper, the U.S. Committee for Refugees (USCR) examines the systematic denial of UN Refugee Convention rights to Palestinian refugees in Lebanon, a population that has been warehoused since 1948.

Top photo: Ein el-Hilweh, Lebanon's largest refugee camp, established in 1948 near Saida.

May 2003 Photo: EPA/N. Mounzer

Living Conditions of Palestinian Refugees in Lebanon

Headquartered in Gaza, the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) provides material assistance to Palestinian refugees in Lebanon, Syria, Jordan, and the Occupied Territories. While no international body has a mandate to protect Palestinian refugees in the countries in which UNRWA operates, the Convention's Article 1D inclusion clause makes the Convention applicable to "Palestine refugees" (see "A Refugee is a Refugee," *World Refugee Survey 2003*). Yet Lebanon, which is not party to the Refugee Convention or Protocol, acts with impunity to keep the all-inclusive group of Palestinian refugees warehoused in perpetuity.

In 2003, UNRWA counted approximately 395,000 "Palestine refugees" on its roster. This count does not include a conservative estimate of 16,000 unregistered Palestinian refugees in the country. In addition, the government of Lebanon reports that 58,400 Palestinians registered with UNRWA also hold third-country citizenship. Based on research conducted by scholars Howard Adelman and Julie Peteet, USCR calculates that Lebanon has naturalized a growth-adjusted subset of 102,000 Palestinian refugees since the 1980s. Although UNRWA does not disqualify from its services Palestinians in its areas of operation who have acquired citizenship, naturalization does trigger cessation of refugee status as detailed in the Convention. Therefore, USCR counts a total of 250,000 Palestinian refugees in Lebanon. The following figures, however, reflect percentages calculated on UNRWA's registered population.

The majority of Palestinian refugees in Lebanon live in refugee camps, including 12 assisted by UNRWA and 17 unofficial ones to which the agency does not provide

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services. UNRWA lists some 224,000 registered refugees living in the UNRWA camps, which the organization itself characterizes as “suffering from serious problems.” Only 63 percent of the shelters have proper sewer connections, just half have running water, and few have steady garbage collection. The Palestinian Human Rights Organization (PHRO) maintains that another 20 percent of Palestinian refugees—perhaps 70,000 people—live in the unofficial settlements without even the pretense of international assistance.

Crumbling buildings—their walls riddled with bullet holes—remain as testament to the wars of the past 50 years. Lebanon restricts building in and around many camps, especially those in the south near the areas until recently occupied by Israel. The government prohibits rebuilding camps damaged in the wars, enlarging existing camps, or building new camps. Armed soldiers monitor entrances and conduct vehicle searches that often take up to two hours. The soldiers search for any tools or building materials that the refugees might use to repair their homes—shovels, bags of cement, hammers and nails—and prosecute

these alleged smugglers in front of military courts for a crime that is not even on the books. Anthropologist Rosemary Sayigh described the building restrictions in the camps as “produc[ing] a level of housing that incarnates poverty: structures patched up from corrugated iron, breeze blocks, plastic sheeting, and stones on roof tops to prevent them flying away.”

Human rights advocate Jennifer Loewenstein described one refugee camp, Bourj al-Barajneh in southern Lebanon, where she worked during the summer of 2000:

The conditions in the refugee camp are unimaginably bad: rat and roach infested, breezeless apartments; corrugated iron shacks, bacteria-filled water, no municipal services for garbage or sewage control; hazardous power lines; bombed out buildings dating from the [Lebanese] Civil War; no green places or spaces for children to play in at all. And Bourj al-Barajneh's conditions are markedly better than those of many other camps, such as Ein el-Hilweh in the south with its 70,000 inhabitants closed into a space of about two square kilometers.



Armed soldiers guard the entrance of the Ein el-Hilweh refugee camp in Lebanon, May 2003, near a sign that reads "Welcome to the Palestinian Freedom Neighborhood."

Photo: EPA/N. Mounzer



Amnesty International visited several refugee camps in Lebanon in the spring of 2003, including Jal al-Bahr, an unofficial squatter camp near Tyre in the south. According to the report, “approximately 1,200 people live [in Jal al-Bahr] in appalling conditions with some homes consisting of one room housing up to 9 people, often without beds, and without adequate protection from the weather.”

The children suffer greatly—born into camps as stateless refugees, they have lived no other way. In many cases, neither have their parents. Life without adequate schools, healthcare, nutrition, or shelter becomes the norm. Muhammad, a 14-year-old resident of Shatila refugee camp, expresses this paradox:

When I work in Shatila, I don't feel miserable and I don't curse my life, because all the children work here and child labor isn't something strange. But it was different when I worked during the summer on a building site in the town of Shmays, near Shahim, and saw the way that children play and run there, while I was carrying buckets of cement and polishing sheet metal (which makes me short of breath). Then I started asking myself why I wasn't playing and running in the fields the way those other children were. Why did I have to go from school to work? Why am I living in this miserable and tiring life? Why do I have to work to live? I know why: because I come from the camp, and because I'm a Palestinian refugee.

Systemic Denial of Palestinian Refugees' Rights

As Abbas Shibliak, co-founder of the Palestinian Diaspora and Refugee Centre (SHAML) states, in Arab host countries “Palestinian affairs are governed by ministerial decrees or administrative orders, which allow differing interpretations [that] can easily be reversed in response to changing political conditions.” Lebanon has instituted a number of regulations related to a concept of reciprocity that restrict certain rights only to foreigners from recognized states that offer the same opportunities to Lebanese nationals. Article 7 of the Refugee Convention, however, exempts refugees from such reciprocity requirements; and Article 3—upon which no reservation is permitted—states that governments must apply the Convention's provisions without discrimination as to country of origin. The reciprocity doctrine is enshrined in Lebanese labor, association, social security, and property ownership laws, and effectively singles out the stateless Palestinian refugees for exclusion.

One consequence of Lebanon's reciprocal treatment requirement is that Palestinians cannot join any professional associations. Membership in these associations, however, is a prerequisite for the practice of more than 70 skilled and semiskilled occupations, including pharmacy, journalism, medicine, law, education, and engineering. Furthermore, several professional associations are open only

to those who have held Lebanese citizenship for a minimum of ten years. These restrictions lead many Palestinian refugees to work without permits, leaving them without the leverage to negotiate fair payment for services or traditional benefits, such as medical insurance, overtime, vacation, or retirement programs. Lebanon also imposes the reciprocal

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treatment clause in its social security law.

Relegated to the unskilled and informal labor markets, Palestinian refugees compete for scarce jobs as construction workers, taxi drivers, and farm hands, against other foreigners—including at least 50,000 Egyptians and up to 1 million Syrian workers—who do not face the same employment restrictions. Lebanon does not even require work permits for Syrian workers. The Lebanese Ministry of Labor issued some 18,000 work permits for Egyptian workers in 1999, the most recent year for which statistics are available. That same year, Lebanon granted only 350 work permits to Palestinians. Released in 2003, a survey of 4,000 Palestinian refugees conducted in Lebanon by the Norwegian research foundation Fafo showed a 42 percent workforce participation rate, with 16 percent unemployed and 13 percent underemployed.

Among UNRWA's countries of operation, Palestinian refugees in Lebanon have the highest per capita percentage of special hardship cases, a designation applied to those families living in abject poverty. In 2003, these cases comprised 11 percent of UNRWA-registered refugees in Lebanon, compared to a regional average of 6 percent.

Lebanon also prohibits Palestinian refugees from owning and buying property. An April 2001 law does not allow “anyone who is not a national of a recognized State, or anyone whose access to property is contrary to the Constitution's provisions relating to ‘*Tawteen*’ to acquire real

rights of any nature.” This law also prohibits Palestinian refugees from inheriting property already in their family’s possession. Previously, family members transferred the property of a deceased relative to heirs by presenting a certificate from a religious court to the government. Under the new law, ownership automatically reverts to the state.

The restricted job market, refugee camp housing, and property restrictions leave Palestinian refugees with few choices of accommodation. In many cases, overcrowded and deteriorating conditions force more and more families out of the camps in search of housing. But their choices are limited to rental apartments in a market that overwhelmingly favors landlords, or residence in squalid, substandard refugee camps. With 60 percent of Palestinian families living in poverty, most refugees find adequate housing an unobtainable luxury.

While the government of Lebanon freely issues travel documents to Palestinian refugees, it did not always guarantee their readmission. In 1994, Lebanon created a new law requiring Palestinian refugees living in Lebanon to obtain exit and re-entry permits. Five years later, the government lifted this requirement. According to the International Federation for Human Rights (FIDH), the precedent discourages both Palestinian refugees from going abroad and other states from granting them visas, for fear that a new revision may suddenly require a return visa to Lebanon.

This scenario has precedent in 1995: when Libya expelled 30,000 Palestinian workers in retaliation for the Palestine Liberation Organization’s (PLO) acceptance of a peace accord with Israel two years earlier, Lebanon refused the return of some 15,000 expellees carrying Lebanese travel documents. According to most analysts, Libyan President Muammar Qaddafi calculated the expulsion to show that the accord was meaningless and that the refugees were still stateless.

In addition to employment and property restrictions, Lebanon bars Palestinian refugees from applying to the judicial support fund for subsidized legal representation and from enrolling their children in Lebanese public schools. Palestinian refugees must rely on UNRWA’s education programs, for which need far outstrips capacity. The Norwegian survey found that one-third of Palestinian refu-



A Palestinian refugee family after fleeing Lebanon's Ein el-Hilweh camp in May 2003, where factional clashes killed eight people and wounded dozens.
Photo: EPA/N. Mounzer

gees in Lebanon have not completed any education—9 percent of males, 22 percent of females, and 20 percent of the adult population is illiterate. The situation in the schools is no less dire: PHRO estimates that around 12 percent of school children aged 17 and less drop out to supplement their family by working in the agricultural, construction, and service sectors.

Similar restrictions apply to Lebanese public health services and hospitals. Palestinian refugees must seek treatment at one of 25 UNRWA clinics. However, doctors examine as many as 80 patients per day, and dental and laboratory services are not available at all clinics. Some five



percent of children one- to three-years old are malnourished, according the Norwegian survey, and health workers characterize the health of another four percent as vulnerable. There are constant power outages in the camps and in the hospital; patients' families must bring them food. Loewenstein reports, "The rooms are suffocatingly small and hot; there are no waiting rooms or receptionists. Half of the patients who show up on a given day cannot afford to pay for their medical care."

PHRO has documented several incidents in which Lebanese hospitals have denied emergency services to Palestinian refugees when UNRWA health clinics were unable to treat them. The organization detailed one final injustice in a 2002 release: "It is with quite a shame that we could actually document several cases of death at hospital doors and prevention of patients from leaving hospitals because of [an] inability to pay the fees. In one occasion, [the body]

In stark contrast, the situation for non-Palestinian refugees in Lebanon is improving. In addition to the Palestinian population, Lebanon received more than 3,500 new refugees and asylum seekers in 2003, including some 2,200 Iraqis and 775 Sudanese. During the year, the Lebanese government signed a Memorandum of Understanding (MOU) with UNHCR to grant identity cards and extend rights to refugees under UNHCR's mandate pending durable solutions. The MOU also allows refugees to enroll their children in school.

Treatment of Palestinians in Other Countries

Diametrically opposite the treatment of Palestinians in Lebanon, Syria allows the nearly 500,000 Palestinian refugees in Syria the same basic rights accorded to Syrian citizens—save citizenship and political participation. There

are a few minor exceptions, including a restriction on property ownership to one house and no arable land. Syria, a government that holds firmly to the right of return, forbids permanent settlement of Palestinian refugees. The Syrian government issues them identity cards and travel documents similar to Syrian passports. Like Syrians, males must perform military service, except that they serve in the "Palestinian Liberation Army," a PLO faction based in Syria. They have equal access to jobs both public and private, government services, and social insurance. Less than 30 percent live in the country's ten refugee camps.

Despite Syria's positive example of basic rights granted to Palestinian refugees, events in other Arab states illustrate the caprice with which rights can and have been revoked. Until 1978, some 50,000 Palestinian refugees in Egypt enjoyed most fundamental rights. When a Palestinian faction associated with Abu Nidal assassinated Egyptian writer Yousef Al-

Sibai—close friend of then-President Anwar Sadat—the government rescinded all rights previously granted. "We can't own a house, land or get a loan from the bank, despite the fact that I was born here and have no idea what Palestine is," lamented one 35-year old Palestinian in Egypt. In 2003, the government decided to grant citizenship to children born of Egyptian mothers married to foreign men—except Palestinian men. Egypt continues to deny Palestinian refugees Convention rights, despite being a party to the Convention.

As favored guests of Saddam Hussein, an estimated 100,000 Palestinian refugees in Iraq could legally work and received stipends and subsidized housing. Although they



Palestinian refugee merchant sells sweets and other items in Neirab, near Aleppo, Syria, March 2004.

Photo: UNRWA/M. Arce

of a deceased patient [was] detained in the morgue for 15 days before relatives could secure the treatment fees."

Several attempts have been made to bridge the gap in basic rights for Palestinian refugees in Lebanon. In 1992, a delegation comprised of representatives from each Palestinian faction plus two Lebanese ministers—one Christian, one Muslim—presented a memorandum calling for civil rights, which the government promised to answer in 15 days. In April 1994, Palestinian organizations in Lebanon presented another memorandum calling for the right to employment, to reconstruct the camps, and to open Palestinian cultural and humanitarian organizations. To date, the government has responded to neither.

were not allowed to own homes, cars, or even telephone lines, they freely obtained passports, whereas ordinary Iraqi citizens had to pay exorbitant fees and get a recommendation from a government official. After the overthrow of the Baathist government in early 2003, Iraqi landlords forced thousands of Palestinians from their rent-controlled homes. With the loss of their stipends and nowhere else to go, several hundred families set up a makeshift refugee camp in a soccer stadium near Baghdad, where many have remained into 2004.

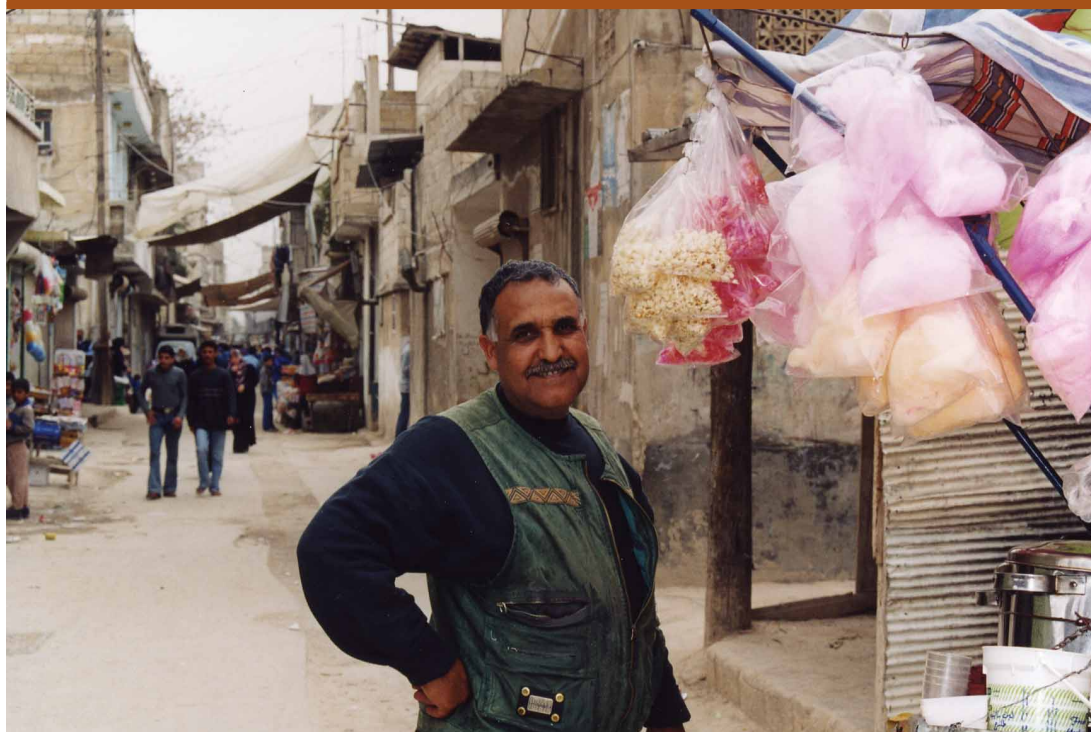
"We were displaced in 1948 and now we have been displaced again, as if tents were our fate," one Palestinian refugee said. "I tried to rent another flat, but when the owner found out we were Palestinians, he told me to go and rent a tent instead." The perception of the group as a symbol of the dispossessed permeates the current culture.

As Iraqi families also forced from their homes in the aftermath of the 2003 Gulf War searched for new accommodations, one Iraqi man complained, "There must be a place for us.... Are we going to be like the Palestinians here?"

In Saudi Arabia, 240,000 Palestinians have de facto residence status, which they must renew every two years. They must also be sponsored by a Saudi citizen in order to work, own a business, or own property—each of which remains the de jure property of the Saudi sponsor—and pay fees ranging from \$500 to more than \$1,500 for the privilege. Jordan, which granted citizenship to more than 1.6 million Palestinians displaced by the 1948 war, hosts an additional 150,000 stateless refugees displaced since 1967 who do not qualify. Although Israel is a party to the Convention, the 1.7 million refugees in the territories it occupies live in a dangerous and totally unprotected state.

Lebanon's Rationale for Denial

Lebanese reticence to extend rights to Palestinian refugees is rooted in its fear of disturbing the country's constitution, based on power-sharing along sectarian lines. Integration of the Palestinian refugees, they argue, will create a Sunni majority where there was once parity. Many analysts, however, believe that Lebanon's unstated motive is to make life so miserable that Palestinian refugees will be forced to leave



Syria allows its nearly 500,000 Palestinian refugees, like this vendor near Aleppo, the same basic rights accorded to Syrian nationals, except citizenship and the right to vote.

Photo: UNRWA/M. Arce

the country or accept any solution put forth in final settlement talks.

Lebanon has adopted what American University in Beirut political science professor Farid El-Khazen describes as a policy of damage limitation: "Unable to influence the course of events in the region, notably the peace process, and unable to distance itself from Syria, Lebanon has opted for a least costly policy that fits its political capabilities: that of being negative on all issues relevant to permanent settlement." It is this negativity that led ex-PLO representative Safiq al-Hout to characterize Lebanon's contradictions as being "with Palestine, against the Palestinians."

The situation improved slightly in the 1970s with the signing of the Cairo Agreement between Lebanon and the PLO. The Agreement granted Palestinians the right to work, residence, movement, and autonomy within the camps, and sanctioned Palestinian armed struggle against Israel from Lebanese soil. This coincided with the rise of the PLO in Lebanon. Seen as a state within a state, the PLO's political and military presence created jobs for many Palestinian refugees and deterred Lebanon from strictly enforcing its employment laws with respect to Palestinians.

The rapprochement quickly eroded with the 1982 Israeli siege of Beirut to force the PLO from Lebanon, killing tens of thousands of Lebanese and Palestinian civilians. Over the course of two days in September, Lebanese right-



Syria extends to Palestinian refugees, like these operating a vegetable stand in Neirab in March 2004, the rights to work, own property, and live where they choose.

Photo: UNRWA/M. Arce

wing Christian militia massacred more than 1,000 residents of the Sabra and Shatila camps while the Israeli army stood by. In 1985, the Syrian-backed Amal Shi'a militia moved in to remove the remaining PLO members from the camps. The onslaught continued for weeks, resulting in further loss of life and the widespread destruction of the camps. While the gravest consequence of the PLO expulsion was the accompanying violence, it also reversed the gains Palestinians had made in social and economic rights. In 1987, Lebanon unilaterally abrogated the Cairo Agreement.

In response to Lebanon's concerns about *tawteen*, Palestinian refugees in Lebanon consistently maintain that they do not seek Lebanese citizenship; they only want Lebanon to recognize their economic and social rights. Granting Palestinians employment rights could benefit the Lebanese economy because, unlike Syrian workers who send most of their earnings home, Palestinians would spend their wages in Lebanon, further stimulating the local economy. Lebanese rejection of economic self-interest instead suggests that political reasons motivate the policy.

Syrian workers remit more than \$4 billion from Lebanon each year. The World Bank lists the Gross Na-

tional Income (GNI) in Lebanon at \$3,990 per capita, compared to \$1,130 in Syria. In addition, Syria prohibits import of Lebanese-made durable goods into Syria. Syrian workers often share accommodation in refugee camps with nine or more other workers, and most of the 35,000 Syrian soldiers deployed in Lebanon also take on supplemental jobs. It is plausible that Damascus exerts considerable influence over Lebanon to withhold employment rights to Palestinian refugees in order to protect Syrian workers in Lebanon from competition and maximize the remittances they send home.

Arab States Address the Palestinian Refugee Issue

The world community has treated Palestinian refugees as people outside the protection of international law and as bargaining chips in negotiations for a comprehensive solution. Lebanon chooses to hold Palestinian refugees in a warehoused setting as a tangible symbol of the greater Arab-Israeli conflict. "Look how we live," exclaims a Palestinian refugee in one of Lebanon's crumbling refugee camps. "[Arafat] left us here to live in poverty and eat cat food. The Arabs forgot us. The Lebanese don't want us. Who

could have hope when Palestine is so far?"

Through the years, there have been numerous attempts to standardize treatment of the Palestinian refugees in Arab host states. While most plans have failed to satisfy all parties, they do agree on these main points: the refugees' Palestinian identity should be preserved; their rights should not conflict with the host country's interests; and any solutions are temporary and renewable until implementation of 1948 UN General Assembly Resolution 194

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(III), which states that “refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return.”

The Arab League put forth such guidelines in the 1965 Casablanca Protocol, which proposed that “whilst retaining their Palestinian nationality,” Palestinians residing in Arab League states should be granted the right to employment, the right to travel and return to their current countries of residence, the right to obtain valid and renewable travel documents, and treatment equal to persons of other Arab states where visas and residency applications are concerned. The Protocol received great initial support, but many exceptions—most concerning the requirement to treat Palestinians on par with host country nationals. Only Syria and Jordan fully ratified it.

Abbas Shibliak of SHAML asserts that treatment of Palestinians residing in Arab states has been governed by two principal elements: a tradition of duty and hospitality, and determination to keep Resolution 194 on the international agenda. This determination has influenced—and often derailed—peace accords and incited heated debate; thus, it is difficult for many observers to detach from the issue of whether Palestinian refugees may enjoy rights in

the interim. “Arab countries deal with Palestinian refugees as a political issue,” stated Oroub el-Abed, who has extensively researched the treatment of Palestinian refugees across the Middle East. “Any humanitarian solutions, in their point of view, will lead to marginalizing the Palestinian cause.” But as Syria and others have demonstrated, this rationale does not stand up to scrutiny.

The lack of international protection for most Palestinian refugees has left their fates to the countries in which they reside. Host governments' relations with the Palestinian leadership, however, have strongly influenced decisions affecting Palestinian refugees, especially where the actions of the leadership have contradicted the politics of the government. Egypt, Libya, Iraq, and Lebanon all extended substantial rights to Palestinian refugees at one time—including the right to employment and travel, and freedom of movement—until each government rescinded them. Subject to shifting interests on the part of their host governments, Palestinian refugees have suffered for policy decisions that often had nothing to do with them.

Conclusion

“We are a thorn in every Arab leader's side.”—Palestinian woman in Baghdad's Haifa Sports Club refugee camp.

Palestinian refugees in Lebanon have been characterized as “pawns on a tilted chessboard,” although the analogy could be extended to Palestinian refugees everywhere. While the conflict stretches toward its 57th year, more than two million Palestinian refugees remain warehoused and this population increases each day.

Since no international body exists to protect Palestinian refugees in UNRWA areas and defend their fundamental rights under the UN Refugee Convention, the establishment of a protection mandate for Palestinian refugees in these areas should be part of a solution to warehousing.

Compared to Lebanon's representational government and relatively free-market economy, the generosity of Syria's authoritarian socialist republic towards its refugee population seems ironic. The Syrian government's freedom to grant these rights may rest, however, in its long history of military suppression of political opposition. Nevertheless, USCR applauds the extent to which the Syrian government has granted Convention rights to Palestinian refugees and hopes that Syria will continue to support refugees in the country.

“At the very minimum we hope they will treat us like foreigners,” says one Palestinian refugee in Lebanon. “A foreigner is permitted to own 5,000 square metres [of land]. I just want about 118 square metres, the size of a small apartment.”