

Palestinian Human Rights Organization - PHRO



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LEBANESE LABOR LAWS ... PALESTINIAN REFUGEES RECENT SITUATIONS
The Palestinians' Contributions to the Lebanon's Economy
PHRO Study of April 2007

Second Edition - November 2008

Second Edition Printing was done with the Generous Support of
EMBASSY OF FINLAND



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Bibliographic information

Title: Lebanese Labor Laws ... Palestinian Refugees Recent Situations

The Palestinians' Contributions to Lebanon's Economy

Type & Date of Original Issue: Study – April 2007

Date of Second Edition: November 2008

Study Conducted & Authored by: Mohammad El-Najjar

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Publisher: Palestinian Human Rights Organization - PHRO

Original Language: English

Layout Design: Khaled Obeid; Rola Badran

This study is part of the project titled “**Joint Lebanese & Palestinian Advocacy Practicum supporting the Right to Work for Palestinian Refugees in Lebanon**” supported by **The Embassy of the Kingdom of the Netherlands in Lebanon**, especially the section related to the Palestinians' contributions in Lebanon and their impact on the economy, which rebut several Lebanese groups' claims that Palestinians constitute a heavy burden on Lebanon's economy.

It is worthy to mention that the second track of this study (**Legal Section**) constitutes an integral part of an advanced comprehensive research supported by **the Ford Foundation**. This research discusses the Lebanese laws, regulations and the historical context in which they were issued. Such demonstration indicated whether these laws and regulations were the outcomes of certain balances and disparities as well as the factors that formed its basis and played a role in the specific treatment outlook which in total govern the relations between the Lebanese State and its Palestinian Refugees. The research also presented the contradictions of some Lebanese laws and regulations with the international standards and measures, which consequently form discrimination against Palestinian Refugees.

This report (*2nd edition*) was printed with the generous support of the **Embassy of Finland**

The opinions expressed by the authors do not necessarily represent the official point of view of the donors

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ABBREVIATIONS
Alphabetical Order

1.	AFSC	American Friends Service Committee
2.	CERD	International Convention on the Elimination of all Forms of Racial Discrimination
3.	CSR	Convention relating to the Status of Refugees
4.	ICCPR	International Covenant on Civil and Political Rights
5.	ICESCR	International Covenant on Economic, Social and Cultural Rights
6.	ICRC	International Committee of Red Cross
7.	ICRS	International
8.	ILO	International Labor Organization
9.	LRCS	League of Red Cross Societies
10.	MNF	Multi National Forces
11.	Non-ID	Non Identified Refugee
12.	NR	Non Registered Refugee
13.	PLO	Palestinian Liberation Organization
14.	PPO	Palestine Permanent Office
15.	RR	Registered Refugee
16.	UDHR	Universal Declaration of Human Rights
17.	UNICEF	United Nations International Children's Emergency Fund
18.	UNIFIL	United Nations Interim Force in Lebanon
19.	UNRPR	United Nations Relief for Palestine Refugees
20.	UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East

CHAPTER ONE

The socio-economic and political developments that governed the Lebanese and Palestinians since the Palestinian displacement in 1948 up to recent days

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I. INTRODUCTION

The Palestinian conflict has been considered the main central issue in the Middle East region and the world since the last century and until this present day. For long, it has influenced most of the events and developments in this region, which is likely to remain so as long as there is no just and agreed-on solution to all the issues and matters related to this conflict. At the forefront of these issues, we perceive the status of the Palestinian refugees who were uprooted from their homes in the wake of the establishment of State of Israel and the first Arab-Israeli war in 1948.

There is no doubt that the forced brutal evacuation of the Palestinian people from their homeland led to the crash of the infrastructure and social pillars of that society. Suddenly Palestinians found themselves as refugees with no land, property nor life means.

From our point of view, any attempt to tackle the general situation of the Palestinians who have been dispersed as refugees in many neighboring Arab countries, will clearly show that Palestinians were affected and thus reflected the social profile of their host countries with all the dynamics and characteristics of that social structure whether positive or negative. Though all Palestinian refugees share the same suffering of displacement, loss of homeland, and property, yet, the degree of that suffering varies. This variation depends on the circumstances of each of the hosting countries at the time of Palestinians refuge to them (hosting countries).

For example, the events that have been experienced by a Palestinian refugee in Jordan were different from those experienced by another refugee living in Syria or Lebanon.

The most tough events and circumstances were those encountered by Palestinian refugees in Lebanon; their repercussions are still shaping the refugees' overall situation. The heterogeneous and vulnerable Lebanese sociopolitical structure created several contradicting perceptions towards the Palestinian presence in the country from one side, and resulted in an inconsistent legislative system that is governing that presence from the other side.

The relationship that brought together Lebanon with Palestinian refugees living on its territory was always of a complex nature. It constantly varies between ups and downs; sometimes being smooth and more often being tensed. Definitely the lack of mutual trust between the two parties was the main factor in determining this fluctuation.

The socio-political structure of the Lebanese State reflected itself on the overall situation of the Palestinian refugees. The fear and anxiety of possible Palestinian resettlement in Lebanon, affected greatly the Lebanese view towards their uninvited Palestinian "guests". Under the pretext of preserving the Palestinian national right to return to their homeland, the Lebanese State adopted a policy of denying the Palestinians many of their human rights (civil, economic, social...). In spite of the fact that the Palestinians themselves never wanted to stay in Lebanon as refugees nor ever sought naturalization, the Lebanese government continued using this excuse as a justification for its discrimination policies.

The Palestinians did not waste any opportunities to improve their situation. Within this context, the 1969 Cairo Agreement between Lebanon and the Palestinian Liberation Organization (PLO) was signed, requiring Lebanon to guarantee¹ social and economic rights to Palestinian refugees. **This Agreement has been considered, since the Palestinian refuge to Lebanon, the only attempt to establish clear legal grounds regulating the relationship between the Lebanese State and the representatives of the Palestinian refugees on the basis of refugees' rights and duties.** But unfortunately, instead of being modified and developed so as to establish the foundations of constructive cooperation², Cairo Agreement has been revoked by the Lebanese state in 1987, re-entering this relationship into a dark tunnel, particularly after the Taief Agreement which paved the way for an end to the War in Lebanon.

The Lebanese policy of discrimination against the Palestinian refugees in the "Second Republic"³ contributed significantly to the increased feeling of harassment and injustice experienced by generations of refugees. This feeling of injustice that was experienced by Palestinians created further tensions in the Lebanese-Palestinian relationship; this matter along with the Palestinians' right of return, motivated part of the Palestinians to insist on maintaining their own weapons to defend themselves. Of course, that was reflected negatively on both the Palestinian and the Lebanese situation.

Every time the Palestinian refugees claimed their rights and especially the right to join freely the Lebanese labor market, they were faced with a staunch rejection from the Lebanese Government. Many excuses were used in order to justify the refusal of the right to free employment for Palestinians. The main excuse was that the Lebanese economy has not yet fully recovered from

¹ Other rights and issues that was included within the Cairo Agreement will be discussed later in this study

² The context of the incidents did not lead to the desired results from such agreement due to Lebanese internal reasons as well as regional one

³ The Lebanese Republic that emerged after the Taief Pact called "Second Republic"

the war, and that the Lebanese workers were losing jobs. This argument meant that the permission for the Palestinians to access freely the Lebanese labor market will be of a heavy burden on the Lebanese economy (which is not accurate). In order to validate this argument, and on time that the Lebanese Labor Market is crowded by hundreds of thousands of foreign workers, the following question should be addressed: **Does the Palestinian contribution to the Lebanese economic and social life have negative socioeconomic consequences on Lebanon?**

It maybe very hard to answer such a question accurately within the context of this report due to the absence of reliable and precise information about the refugee community with all aspects of its socio-economic and political developments. However, we will try to present an answer based on the available information that we used as an indicators in our report.

In this sense, this report is considered to be a qualitative study rather than a quantitative one. It will address two complement tracks:

☞ One track focuses on the socio-economic and political developments that governed the Lebanese and Palestinians since the Palestinian displacement in 1948 up to recent days.

☞ The second track encloses a legal research that conducts an in-depth analysis of: the Lebanese labor laws and regulations, relevant international refugee and human rights norms, international Labor conventions, UN and Arab League Resolutions.

II. HISTORICAL BACKGROUND

The Palestinian refugees are part of the indigenous inhabitants of historic Palestine, a land stretching from the Mediterranean Coast east across Jordan River, and from the Gulf of Aqaba north beyond the sea towards Galilee "Southern Lebanon". Nowadays this area is divided into the state of Israel (established in May 1948) and the West Bank including eastern Jerusalem and the Gaza Strip (which Israel occupied in 1967). The later areas were transferred to a self-governing Palestinian Authority in 1990s under the Madrid/Oslo peace process. The majority of this area, however, remains under Israeli occupation in violation to the UN Security Council Resolution 242⁴, the Resolution 338⁵ in addition to other related UN Resolutions.

⁴ Called upon the withdrawal of Israel armed forces from territories occupied in 1967 war

⁵ Called upon the implementation of the Security Council Resolution 242 in all of its parts

The overthrow of the Ottoman Empire that was governing Palestine, as a direct consequence of the First World War, made Palestine amongst a number of other non-self-governing Arab territories in the Middle East that were placed by the League of Nations in 1919 under temporary administration of foreign power until such a time as the peoples of these territories were deemed for independence.

In 1922, the League of Nations entrusted the Mandate for Palestine to Great Britain. Contrary to the intent and purpose of that temporary system, Great Britain pledged itself to “secure the establishment of the Jewish national home” as was stated in the **1917 Balfour Declaration**. Thereby, Great Britain encouraged the Jewish immigration towards Palestine who started their settlement in the Palestinian lands, raising huge resentment among the “non-Jewish communities” mainly the Arab Palestinian inhabitants.

Thus, in 1929 the country was torn by widespread riots killing hundreds from both Arabs and Jews. Shaw Commission⁶ of inquiry dispatched to the region, recommended the postponement of executing Balfour Declaration and the restrictions on the Jewish immigration. The continuation of the Jewish immigration caused more violent revolt in 1936, followed by the Peel Commission in 1937. This Commission recommended the partition of Palestine into two states, one for Jews and the other for Arabs. The recommendation had to be totally refused by Arabs. The end of the Second World War brought great violence between both parties leading to another recommendation by the Anglo-American Commission, based on the establishment of Palestine as single bi-national state. The fate of such recommendation was also the refusal of the Arabs.

In February 1947, Britain announced its plan to withdraw in 1948 and requested the United Nations to find a solution for the Palestinian situation. On 29 November 1947 the UN General Assembly adopted a plan (*UN General Assembly Resolution No. 181*) based on the recommendation of the majority of the members of the special inquiry, for the division of Palestine into two states – one Arab and one Jewish. The UN General Assembly proposed Jewish state would have 56% of the territory of historic Palestine even though Jewish inhabitants of Palestine comprised less than one-third of the population of historic Palestine and owned less

⁶ Sir Walter Shaw chaired the four member commission, which visited the area and delivered its report in March 1930. Acting on the recommendation of Shaw Commission, the British Government authorized the "Hope-Simpson expert investigation of land capacity issues" headed by Sir Jhon Hope-Simpson, who was Vice-Chairman of the League of Nations Refugee Settlement Commission in Greece. Hope-Simpson recommended the cessation of Jewish immigration; its report was published in August 1930. After considering the Shaw Commission and Hope-Simpson reports, the Colonial Secretary issued the "Passfield White Paper" on 21 October 1930, which recommended limits on Jewish immigration and land ownership

than 7% of the land. Arabs refused the Resolution and the partition of their homeland.

From December 1947 until the end of the British Mandate on **14 May 1948**, the fight between Arabs and Jews escalated. As the Jewish militias were well equipped (supported by the British Army who provided facilities and logistics), the Palestinian popular defending groups were nearly defeated. Arab regular armies of Jordan, Syria, Egypt, Lebanon⁷ and Iraq intervened in the war supported by volunteering combatants from several Arab States. **The result of that war was the Arab lost around 77% of the historic Palestine, the depopulation of some 530 villages and the expulsion of around 700,000 to 800,000 Palestinians to the neighboring Arab countries (Jordan, Lebanon, Syria and others).**

As most of the Palestinian refugees were extracted from their homes and land by force **in 1948**, it was necessarily for the international community to intervene in the occurred crises. Thus in an attempt to resolve their problem the United Nations appointed Count Folke Bernadotte as UN Mediator for Palestine. In his reports to the UN Security Council Bernadotte recommended the reassertion of the Palestinian refugees' right to return to their homeland. Based on Bernadotte's recommendation the *United Nation General Assembly issued Resolution 194 (III) in 11 December 1948*, in which it's Paragraph 11 approved the right to return for refugees.

Another war had erupted between Arabs and Israel **in 1967**, resulted of Israeli complete occupation of the historic Palestine, in addition to other Arab territories in Syria and Egypt. Several hundred thousands Palestinians, (including part of the **1948** refugees)⁸, were displaced during the war and have been denied the right to return to their homes and lands in West Bank and Gaza Strip due to Israel's continuous occupation in spite of the United Nations Security Council Resolutions **242** and **338** that called upon Israel to the immediate withdrawal from these territories.

Since their exodus after the establishment of Israel and the Arab-Israeli wars in **1948** and **1967**, Palestinians had to suffer from multiple troubles and difficulties caused either by Israel or by their host countries. Among the most important milestones that drew the Palestinian profile are the following main events: the continuous violation of Palestinian human rights, the black September confrontation between PLO and the Jordanian Army in **1970**, the Lebanese War (**1975 - 1990**) and the confrontation with the Syrian Army during this war including Tal El-Zaatar massacre, the Israeli invasion of Lebanon in **1982** including the massacre of thousands of

⁷ On 23 March 1949 Lebanon signed the Truce with Israel

⁸ They were displaced for the second time, and till these days they are deprived from their right to return as per the UN Resolution 194

Palestinian civilians in Sabra and Chatila camp, the “**War of the Camps**” by Amal Movement (1985-1987), the **Gulf War (1990-1991)** and its impacts on the Palestinian Migrant Workers to the Gulf countries, in addition to the Palestinian internal clashes which in total subjected the Palestinian communities to a **collective punishment**.

III. PALESTINIAN REFUGEES IN LEBANON

A. THE FORCED EXPULSION

The first batch of the Palestinian Refugees who deported to Lebanon was not in large numbers. They were, either from the bourgeoisies of several cities whom were accustomed to visit Lebanon in the summer or in kinship ties with some Lebanese families. On the other hand, a number of fishermen transferred their families towards Tyre, Sidon and Beirut in this phase.

The vast majority of the Palestinian refugees' displacement towards the Lebanese border took place after the occupation of Acre and Western Galilee. Their number ranged between **104,000 to 120,000 (IRC estimation)**; which comprised around **10%** of the total Lebanese population. It is worth mentioning that UNRWA records for registered refugees included few thousands Lebanese who were residing in Palestine and thus considered refugees as per the UNRWA's definition⁹ for the Palestine Refugee.

On November 1948, the refugee's plight started to escalate. Tens of thousands of Palestinians were homeless, without accommodation and without clothing. The lucky ones were able to secure places in mosques and churches or in abandoned buildings. At that time, most of the refugees resided in the camps near Tyre, while others stayed in the eastern area of Lebanon.

1. THE LEBANESE RESPONSE

The enormity of the Palestinian refugees' tragedy created an atmosphere of compassion and sympathy within the Lebanese society, both at the official level and at the public ones.

a. OFFICIAL LEVEL

The Head of Lebanese State at that period Mr. Beshara Al-Khoury expressed sympathy for the Palestinian refugees, giving orders to the concerned bodies to provide them with the necessary aid. The same was done by Mr. Hamid Franjeih the Minister of Foreign Affairs, as he said in one

⁹ <http://www.un.org/unrwa/refugees/whois.html>

of the Lebanese parliament sessions: "Lebanon will host the Palestinian refugees whatever the number is, and no matter how long is their stay ... there shall be no tolerance with any kind of abuse that they might be subjected to..."¹⁰.

The deterioration in the Palestinian refugees' situation hastened the Lebanese State to issue **Decree no. 11657** which stated on the formation of a commission (Central Committee) to deal with the refugees coming from Palestine to Lebanon. The Central Committee and the regional committees provided services for the refugees. The committee had an allocated budget of one million Lebanese pounds which came out of the Lebanese government budget, amounting to sixty eight million Lebanese pounds at that time. According to the Lebanese Prime Minister, Mr. Riyadh Al-Sulh, Lebanon had spent the equivalent of **10%** of its annual budget¹¹.

b. PUBLIC LEVEL

At the unofficial level, many Lebanese religious institutions and figures, in addition to civilian ones, embraced the refugees and provided them with the essential needed assistance. The Palestine Permanent Office¹² played an important role in providing health and medical services. Many doctors enrolled and helped the Palestinian refugees in their gatherings and camps. Promptly, the various local and international institutions, associations and NGOs realized that the refugees' dilemma is beyond their capacity. Refugees were in need of every thing (food, shelter, medicine, clothing, education...); even the newborn independent hosting States were not able to provide fully humanitarian aid to tens of thousands of Palestinian refugees.

2. THE INTERNATIONAL RESPONSE

a. UNRPR ESTABLISHMENT

The miserable and unbearable situation of the refugees pushed the UN General Assembly to adopt on **19 November 1948, Resolution 212**, which established the United Nations Relief for Palestine Refugees (UNRPR). This organization was designed to plan and implement a relief program and to seek the aid of UN specialized agencies and international NGOs such as the United Nations International Children's Emergency Fund (UNICEF), the International Committee of Red Cross (ICRC), the League of Red Cross Societies (LRCS) and the American Friends Service Committee (AFSC).

¹⁰ Lebanese Parliament, records of the 7th session, 12 May 1948

¹¹ Lebanese Parliament, records of the 1st session, 25 January 1949

¹² This office established by Lebanese nationalists to assist the fighters during the 1948 war, particularly in the medical field. Dr. Salim Edris the General Secretary of PPO played a main role in the enrollment of doctors to work at the hospitals in Palestine, and later on to assist the Palestinian refugees residing the gatherings and camps

The continuity of the political and military crisis in the Middle East abrogated the optimistic views adopted by the Palestinian refugees and others as well, who assumed that the refugee problem would be resolved in few months.

b. UNRWA ESTABLISHMENT

Hence, by the summer of 1949, it had become clear to the International Community that another approach was needed to address the refugees' problem. In September the UN Economic Survey Mission for the Middle East was dispatched to study and report on the refugee conditions and to make recommendations regarding the needed future assistance. After three months of field research, the mission recommended in its report to the General Assembly towards the creation of a new agency, which would not only carry out relief on a diminishing scale, but would inaugurate a **work program (Employment)**. With such new mandate, capable refugees could become self-supporting due to the agency's long-term work opportunities which will benefit the refugees as well as the concerned countries. **On 8 December 1949**, the United Nations General Assembly adopted **Resolution 302 (IV)**, embodying the recommendation of the Economic Survey Mission and establishing the **United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)**.

The **UN Resolution 194**, pressured the United Nations to tie UNRWA's existence with the implementation of this Resolution, thus **paragraph (5)** of the **Resolution 302** stated:

"That, without prejudice to the provisions of paragraph 11 of General Assembly resolution 194 (III) of 11 December 1948, continued assistance for the relief of the Palestinian refugees is necessary to prevent conditions of starvation and distress among them and to further conditions of peace and stability, and that constructive measures should be undertaken at an early date with a view to the termination of international assistance for relief;"

In **May 1950**, the new Agency became operational in the field through the following guidelines that had been stated in **paragraph (7)** of **resolution 302**:

(a) To carry out in collaboration with the local governments the direct relief and works programmes as recommended by the Economic Survey Mission;

(b) To consult with the interested Near Eastern Governments concerning measures to be taken by them preparatory to the times when international assistance for relief and works projects is no longer available;"

At the commencement, the budget that was allocated to UNRWA operations by donor countries reached \$ 230 million (covered all UNRWA operation areas), of which \$ 30 million for relief services (food, shelter, medicine, clothing, education...). The remaining amount assigned for projects that aimed to support the refugees working in the proposed irrigation and agriculture projects in the host countries.

B. WHO IS THE PALESTINIAN REFUGEE?

Rather than any other UN agency dealing with the refugees, UNRWA's mandate was designated to deal only with one group of refugees (Palestine refugees) who were distributed over five UNRWA operational areas (West Bank, Gaza Strip, Jordan, Syria and Lebanon). This mandate included only the delivery of "direct relief and works program" to the refugees **without providing any legal protection**. The UNRWA definition of a Palestine refugee had been changed since 1949; In 1993, UNRWA changed its basic definition of the Palestine Refugee to the one in use today: "Palestine refugee shall mean any person whose normal place of residence was Palestine during the period 1 June 1946 to 15 May 1948 and who lost both home and means of livelihood as a result of the 1948 conflict."¹³

Based on this definition and due to the absence of a special Lebanese legal text that identifies who is the Palestinian refugee, Palestinian refugees in Lebanon are divided into a variety of groups. Such division produced a profound effect on the social, economic and legal conditions of each category of the underneath three categories:

1. **REGISTERED REFUGEES (RR):** registered by both UNRWA and the Lebanese Authorities; UNRWA figures for **June 2008** claim that **416,608** Palestinian refugees (approximately **10%** of Lebanon's total population) registered in Lebanon
2. **NONE REGISTERED REFUGEES (NR):** are only registered by the Lebanese Authorities. There are approximately **30,000** refugees unregistered by UNRWA. They are

¹³ UNRWA's services are available to all those living in its area of operations who meet this definition, who are registered with the Agency and who need assistance. UNRWA's definition of a refugee also covers the descendants through the male line of persons who became refugees in 1948. The number of registered Palestine refugees has subsequently grown from 914,000 in 1950 to more than 4.6 million in 2008, and continues to rise due to natural population growth. <http://www.un.org/unrwa/refugees/whois.html>

entitled to benefit from UNRWA services under a temporary UNRWA project funded by EU since 2004

3. **NONE IDENTIFIED REFUGEES (NON-ID):** are not registered at all, neither by UNRWA, nor by Lebanese Authorities¹⁴, or by any other agencies in Lebanon. This category includes between 4,000 - 5,000 Palestinians who do not possess any kind of IDs.

In September 2001 the Non-ID Palestinian refugee Husni Ghazal was killed at an army checkpoint in Lebanon. This incident was documented by the PHRO and brought to prominence the highly complex humanitarian issue of the marginalized, non-Identified (non-ID) Palestinian refugees. Later, PHRO set up the running of a pilot study to look at their living conditions in Lebanon. That study was followed by an advanced one carried out in 2004 focusing on the different aspects of their life (demographic, health, socio-economic, education, housing, environmental and legal aspect. Today, the Non-ID population in Lebanon is facing major problems. Their lack of legal status resulted in more difficult socio-economic conditions when compared to the rest of the Palestinian refugee population in the country.

Theoretically, the total number of the Palestinian refugees in Lebanon from the various groups is estimated at about 450,000 refugees. However, the reality shows that less than two thirds of them actually live in Lebanon. This is referred to different reasons which led to the large immigration of the Palestinian refugee communities towards the different countries, especially the European ones. Wars that devastated Lebanon come in the forefront of these reasons in addition to the difficult economic situation from which Palestinians have been suffering since a long time.

IV. PALESTINIAN REFUGEES SOCIO-ECONOMIC STRUCTURE

A. PREVIOUS SOCIAL STRUCTURE

In the Diaspora, Palestinian refugees carried with them assortment of their social legacies to the new places of refuge. These legacies and traditions played a big role in the formulation of refugee life. It charted the pattern of their internal relations, and contributed to the formation of the first gatherings and camps where their lives settled later.

¹⁴ By the beginning of September 2008, the Lebanese Authority started to provide this category by Identification Cards issued from the General Directorate of the General Security, Ministry of Interior Affairs and Municipalities

Most researchers believe that the Palestinian community in the era of the British Mandate was a rural (farmer) society. In spite of the important economic shifts that had been caused by the British mandate especially in the coastal cities, we can classify the Palestinian social structure before the catastrophe into three categories:

1. **URBAN:** The figures of the 1922 Census show that the number of urban Palestinians inside the cities was 264,000 constituting 35% of the population of Palestine. They mostly consisted of senior staff, landowners, traders and artisans. In addition to the large numbers of simple labor groups who were operating in fishing, or in some of the craft industries, and other daily works available in the cities.
2. **RURAL (FARMERS):** The number of Palestinian farmers was 430,000 constituting 57% of the population of Palestine. This category runs into three classes: upper-class landowners; middle-class landowners - the most widespread in the north of Palestine, area to which the majority of Palestinian refugees in Lebanon belong - and daily agricultural workers.
3. **NOMADS:** The third category of the Palestinian society was the groups of nomads (Bedouins), numbered according to the same census around 60,000 people and constituting 8% of the Palestine population.

This was the social structure of Palestine that delivered the community of Palestinian refugees in Lebanon. It was common to find those same social characteristics that distinguished each slice of the categories transmitted to the new community.

B. PALESTINIAN REFUGEES SOCIAL STRUCTURE IN LEBANON

Several factors played a role in the formulation and composition of the social structures of the refugee camps in Lebanon. One of the most prominent factors was the religious factor that formed the basis for the emergence of many camps, such as Mieh w Mieh, Dbayeh, Mar-Elias and Jesr El-Basha. The populations of these camps were in majority Christian Palestinian refugees whom constituted about **24.6%** of the Palestinians resorted to Lebanon. On the other hand, Muslim Palestinians resided in the southern cities and villages, where they were provided with the care and humanitarian assistance from the families and institutions particularly in Tyre, Sidon, Beirut, Tripoli and Bequaa.

It was remarkable that part of the total Palestinian refugees had been distributed over the sixteen camps in Lebanon at that time¹⁵, while the rest of the refugees resided in the villages and towns, especially Beirut, Bequaa and Tripoli. However, the numbers of refugees residing in the camps underwent successively changes in subsequent years. This is dependent on the events and circumstances that surrounded the refugees' life in Lebanon¹⁶.

The main reason that stood behind the continuous increase in the camps' inhabitants at the beginning of the exodus to Lebanon, was the Palestinian refugees' realization that their exile could be prolonged, their need to save money in addition to benefit from the relative improvement in the performance of UNRWA services, especially in the field of elementary and preparatory education. Within this context, it is important to note that at the commencement of the scholar year **1952-1953**, the education level raised amongst the refugees in Lebanon because of their insistence to acquire education. UNRWA encouraged the enrollment in the new schools that were built inside the camps to the extent that these schools were no longer able to absorb all children of school age¹⁷. Furthermore, the general culture in Lebanon in terms of a high population demand for education compared to other Arab countries, helped the Palestinians to understand the importance of education and thus encouraged them to seek it aggressively. This would lead to the emergence of new educated Palestinian elite from rural origin.

It can be noticed that most of the refugees who have settled outside the camps were from the affluent and wealthy Palestinians, who were able to rent or purchase housing in the Lebanese cities and areas close to the camps. They were able to get employment in the field of education and management at UNRWA or Lebanese private institutions. Some of those refugees had sufficient amount of money, which enabled them to start successful business in Lebanon.

Most of the affluent Palestinians and some of other Palestinian refugees (mainly Christians) who were living in the Lebanese towns and villages obtained Lebanese nationality. Since the naturalization of some of the Palestinian refugees in Lebanon had begun early. The pages of the Lebanese Official Gazette had included since 1948 the names of the first batch naturalized Palestinians composed from eleven refugees¹⁸. Since then, hundreds of naturalization decrees issued in the era of President Beshara El-Khoury, and cultivated in the era of President Camille

¹⁵ Three camps were destroyed through the war in Lebanon, and one camp was voluntarily evacuated before that war, and lately (May - September 2007) a camp was destroyed in what is known as Naher El-Bared Camp War

¹⁶ According to UNRWA Figures in June 2008, the percentage of Palestinian refugees residing the camps is around 53% of the total Palestinian refugees in Lebanon

¹⁷ UNRWA has been unable since the beginning of its operations to meet the needs of Palestinian refugees in the field of education. In 1993 UNRWA established the first secondary school; currently there are six schools at the secondary level in Lebanon.

¹⁸ Lebanese Republic, Official Gazette, No 18, 1948, Page: 307 - 308

Chamoun. It is worth mentioning that, there is no accurate statistic about the Palestinian refugees who have been granted the

Lebanese nationality. According to UNRWA estimations, around 30,000 Palestinian refugees have gained the Lebanese nationality¹⁹.

Thus, we perceive how the Lebanese religious and sectarian competition played a role in restructuring the camps, and how it played a role in granting the Lebanese nationality to some categories of Palestinian refugees. That Lebanese sectarian competition would be of a heavy burden on the Palestine refugees, where they would face legal, economic, political and security difficulties and problems at all levels.

C. EXODUS & ITS ECONOMIC IMPACT

The Palestinian catastrophe in **1948** led to the sudden collapse and dispersal of the Palestinian society, which resulted in the loss of the material basis of this community, where land was considered the most important means of production.

What is important is what happened to the Palestinian labor forces, which exerted all possible efforts to create a new society. This society started to be formulated inside the camps and gatherings, which was established in the Arab neighboring States. Notice that the Palestinians became a human population living on the margins of Arab communities, without being part of them because of the isolation imposed on the camps by the ruling regimes in the host countries (especially in Lebanon). Thus, the Lebanese authority subjected the refugees to a number of political, security, economic and legal measures **that contributed to their isolation and marginalization**. These measures accompanied with difficult political circumstances of the first exodus years, caused tensions at both the psychological and intellectual levels for the refugees. These restrictions prompted the Lebanese employers to exploit these needy refugees in a way that led to low wages, forcing the entire family to work in order to meet the costs of their living.

Indeed, the physical and moral suffering of the Palestinian refugees in Lebanon, from the different social strata (urban, rural and Bedouins), increased their persistence and determination to overcome their suffering, and to improve their living standards, and their social situation. Thus, we will identify how these categories started to be more active in all aspect of the Lebanese life:

- the rich category through its capitals and scientific efficiency

¹⁹ Kays Ibrahim Kays, *Albuna Alejtama'eyya Wa Alektesadeyya Lelfelestinyeen Fi Lubnan 1948 - 1975*; PhD Thesis - 2004

- the medium category with its university degrees and secondary schools certificates
- the grassroots category through its efforts

All these categories were active in all sectors of agriculture, industry, construction, and services. It should be noted that the Lebanese economy in the first years of Palestinian refuge was rudimentary in the general attributes, as the agricultural commodities considered essential in the national income.

In the second half of the 1950s, Lebanese economy started to develop more towards sectors that produce services, such as trade, tourism, transport, communications, education, health care, banks, and associated financial services. These sectors contributed more than two thirds of the national income, while goods-producing sectors contributed to the rest of the national income.

Here we should notice that UNRWA played a key role to ensure providing the needed relief, which was very important to the Palestine refugees²⁰. The Lebanese economic situation at the time, in addition to the remote location of refugees' camps from main cities, did not assist the Palestinian refugees to get jobs and thus to improve their lives. The refugees' dependence on UNRWA in their daily lives enabled many of them to engage within its functions, particularly in the field of education.

The percentage of UNRWA employment and staff posts occupied by the Palestinians was around 95% of the total number of UNRWA staff. The number of UNRWA staff had also increased from 133 in 1951 to 5,840 in 1957 in all of its operation areas²¹. It is crucial to say that UNRWA had adopted a policy of employing refugees wherever it was possible. Hereby, we can recognize that the economic activity of the refugees in that stage, marched in two parallel lines; the first concentrated in the local society inside the camps, while the other was outside the camps.

1. ECONOMIC ACTIVITY INSIDE THE CAMPS

During the first years of their foundation, the camps were more akin to the primitive societies. There were no services, no infrastructure nor superstructure. The first steps began through improvement of the housing conditions, then looking for jobs to improve the life conditions. Thus the first signs of economic activity started to arise inside the camps, represented by small shops and grocery places. This was followed by the emergence of certain professions as a result of the vocational trainings conducted by many institutions to youth refugees. These vocational trainings

²⁰ Despite the ongoing increase of the UNRWA staff, but its services and the number of beneficiaries are in decrease

²¹ Till now, UNRWA's staff is increasing in number on time that services are not developing

were the outcome of an agreement signed between UNRWA and some Lebanese institutions concerned with vocational training at that time²². The most prominent of these professions were; shoe making and repairing, carpentry, soap making, tailoring ... Consequently, these crafts had increased and diversified to cover various requirements of the simple life inside the camps.

2. ECONOMIC ACTIVITY OUTSIDE THE CAMPS

In deed there was no actual monetary value of the economic activities conducted inside the Palestinian camps and gatherings as the trade-off value for the products of these activities was negligible. In addition, the beneficiaries of such activities were few in number, compared with the overall number of refugees in Lebanon.

In the early 1950s the Lebanese economy was rudimentary, as was previously mentioned; it depended mainly on the agricultural sector. At that time the industrial sector wasn't well developed and thus it had no prominent effect on the Lebanese economy. Also the services sectors, such as tourism and banking, had limited impact on the economy, and lacked the sufficient capital and expertise to expand. Until 1954, 70% of the Lebanese labor force was concentrated in Beirut and Mount Lebanon. This gave the advantage to Palestinians who were from rural origin, to engage in agricultural work, particularly in the South, Bequaa and Akkar.

In Beirut, many Palestinians joined the industrial sector, working in the factories that had recently emerged in the vicinity of the capital (Dekwaneh, Dbayeih...).

In general, we could summarize the participation of the Palestinian labor force outside the borders of the camps, in the following sectors:

- a. **THE CONSTRUCTION & ROADS-CONSTRUCTION SECTOR:** the Palestinian labor force in this sector was concentrated mainly in Beirut, reaching around 30% of the overall Palestinian workforce in this sector. While in the Bequaa it was around 5% and 18% of the population in the camps of Sidon²³. Their fieldwork in this sector, as contractors and workers contributed to the reconstruction of buildings, mainly around the camps during the early 1950s and 1960s. It has also contributed in securing housing for Lebanese citizens who have left the countryside in search of jobs in the city. The result was building the bases for Lebanese residential gatherings, which started in small scale, then expanded and have become important residential areas.

As for the roads-construction, it is noteworthy to mention that many roads were paved in the

²² The aim was to enable the youth refugees finding jobs.

²³ Kays Ibrahim Kays: *same reference*

different regions of Lebanon through UNRWA projects that were initiated in the 1950s. About 1,087 Palestinian refugees had worked in these projects.

c. THE AGRICULTURAL SECTOR: Palestinians played a prominent role in the development of the agriculture sector in Lebanon, particularly in the citrus sector. It has been proven that the Lebanese agricultural employers and workers were less knowledgeable in their field when compared to the Palestinian workers who used to work in agriculture back in Palestine. The Palestinian mastery of modern methods of agriculture could be rendered to the effects of the early western settlement in Palestine, in addition to Britain's commitment under its mandate to improve agriculture in Palestine.

In the late 1950s and early 1960s, the Lebanese economic structure experienced important developments because of the transfer of Arab capitals to Lebanon. Under the Lebanese liberal economic system, the Arab owners would enjoy free movement of their capitals, free currency exchange, and banking secrecy. This development prompted Palestinians to cope with the situation, and to engage in all relevant activities in all possible ways taking into consideration the legal constraints they had.

It is worth mentioning that since the beginning of the 1960s, Lebanese authorities began to impose laws and regulations to restrict the Palestinian refugees' free access to the Lebanese labor market. By such laws²⁴, Lebanon considered the Palestinian refugees as foreigners who should get work permits regardless of their legal status as refugees. The main beneficiaries from such laws were the employers and the small companies who offered Palestinians with no work permits jobs with low wages and minimum benefits, taking advantage of the possibility of bribing officials responsible for the inspection.

These developments in the Lebanese economy along with other factors that emerged in the subsequent days, forced Palestinian labor forces to move towards the services sector (all kind of trades and free jobs). The underneath table explains the percentage as follows²⁵:

²⁴ These laws will be discussed in the second chapter starting from page 30

²⁵ Samed, No 6, Vol. 1, August 1978

Year	Agriculture	Industry	Services	Total
1951	35.2%	28.2%	36.4%	100%
1971	21.1%	24.9%	54.0%	100%
1976	17.0%	9.0%	74.0%	100%

Here it must be noted that one of the main reasons behind this major shift in the Palestinian labor force profile goes back to the negative impacts of the Lebanese war. The industrial sector was damaged a lot and entire factories were destroyed and closed. In addition, Palestinian workers had difficulties to access some areas at that time. The agricultural sector²⁶ was also suffering from a decline. In parallel, many Lebanese villagers went back to their villages making the work force supply of farmers exceeding the demand, and consequently the Palestinian engagement in the agricultural sector became very hard. All of this, urged the Palestinians to become more active in all types of service sectors.

D. PALESTINIAN ECONOMIC ELITE ROLE IN LEBANON

The Lebanese economy benefited from the Palestinian presence and especially the Palestinian bourgeois presence. These benefits came mainly from the capital money and assets that were brought by the Palestinian refugees during their exodus towards the Arab neighboring countries including Lebanon. This bourgeois class was formed mainly from Palestinian businessmen and owners of large capitals with long experience in the sectors of trade, banking and finance, accounting, tourism, insurance, engineering, construction, and industrial as well. This class of refugees did not compose a big percentage of the overall refugees' community, according to one estimation; they comprised around 5% of the total number of Palestinian refugees in Lebanon. However, they were highly effective and most of them obtained the Lebanese nationality. Their contribution to the Lebanese economy played an important role in the structural changes in the economic sectors, mainly the big growth of the services sector.

In order to elaborate on the role of the bourgeois in evolving the services sector in Lebanon, we must take a quick look first at the fiscal balance of this stratum and several Palestinian categories, and estimate its actual size compared with the Lebanese currency bloc at the time.

1. FISCAL BALANCE OF THE REFUGEES' CATEGORIES

²⁶ Although the Palestinians were from rural origin, however, their concern regarding the economic activities in the services sector (banking, trade, tourism, insurance ...) revealed earlier during the fifties

All through the Palestinian presence in Lebanon, many claimed that their presence had a negative impact on the Lebanese economy. The campaign pushed the Arab Supreme Committee for Palestine to issue a statement (**dated 18 December 1959**) on the Palestinians' presence in Lebanon, through which it identified the fiscal balance for the different strata of refugees. The purpose was to convince the Lebanese that the Palestinians are not a burden on Lebanon, or a threat to its economy and interests, but on the contrary Palestinians were additional support to Lebanon and its economy. It was reported as follows:

The above figures show that the total monetary balance transferred for the benefit of Palestinian refugees in Lebanon reached up to one hundred and ninety-five million Lebanese pounds. This amount is equal to three times the annual budget of the Lebanese state in the early 1950s²⁷.

- ❑ **Five million** Lebanese pounds were spent by Palestinians who came to Lebanon at the beginning of their refuge in **1948**.
- ❑ **Twenty-seven million** Lebanese pounds, the estimation of the value of the jewelries, Palestinian refugees had spent after their exodus, in order to cover food, housing and some of their investments in Lebanon.
- ❑ **Ninety million** Lebanese pounds is the estimation of investments in Lebanon that were conducted by a number of Palestinian traders and businessmen.
- ❑ **Forty-five million** Lebanese pounds, the value of the goods, products and commodities transferred to Lebanon by the Palestinian traders due to the deteriorating situation in Palestine.
- ❑ **Thirteen million** Lebanese pounds, the value of deposits in banks inside Palestine. Palestinian refugees were able to withdraw money from those banks' branches outside Palestine.
- ❑ **Eleven million** Lebanese pounds the value of the Palestinian deposits that were frozen by Israel. These deposits were later on released via international mediation and negotiations with Israel.
- ❑ **Four million** Lebanese pounds, as additional allowances and bonuses, in addition to the monthly pensions that lasted many years which were paid by the British mandate government to former Palestinian staff.

²⁷ In 1951 the equivalent of one dollar was 1.5 Lebanese pound

2. THE TARGETED SECTORS

The flow of these funds, in addition to the presence of the technical and administrative expertise in various sectors, have undoubtedly contributed to the revitalization of the Lebanese economy, and created work opportunities for many Palestinian and Lebanese labor force. Among the main sectors that Palestinian affluent businessmen had participated greatly in creating and evolving were: the banking sector, tourism, insurance, engineering, construction, industry and accounting.

a. THE BANKING SECTOR

The **Arab Bank** was considered one of the most important banks that were found in the region at that time, as per the volume of its deposits and assets, as well as the substantial investments made by it. Many Lebanese senior experts and specialists in the banking sector graduated from this Bank, which was owned by the Palestinian business-man **Abed El-Majid Shouman**. This Bank took the first place for many years in arranging Lebanese banks, as a result of the credibility entrusted by the customers due to the good performance in all of its branches.

Bank of Beirut, which was also considered one of the major banks in Lebanon, was owned by the Palestinian businessman **Refaat El-Nemer**. The bank's branches were distributed in the various regions of Lebanon hiring hundreds of Lebanese and Palestinian staff. Its deposits and assets grew over the years till it reached in the year **1994** four hundred billion Lebanese Pounds. The bank was able to withstand and persist throughout the war in Lebanon.

However, the most important and dramatic experience in the history of the Lebanese banks and the Palestinian successes as well, remains the case of **Intra Bank** which was possessed by a Palestinian holding the Lebanese nationality **Youssef Baidas**. The value of the bank's properties and assets was around hundreds of millions of dollars in the year **1965**. **Baidas** had shares in the **Middle East Airlines (MEA)**, the **port of Beirut Company**, **Casino du Liban**, **Phoenicia Hotel Company**, and **Tele Liban**, in addition to other real estate investments in Lebanon and abroad. He was able to employ about **30 thousands persons** from different nationalities. Unfortunately, the successes of **Intra Bank** didn't continue for long, as several factors led to the collapse of the bank in **October 1966**. Later, **Baidas** announced that: *"in Lebanon, there are one hundred families who all claim to own this small country and who never stopped fighting over it. These families will always be willing to unite against those who they consider outsiders."* Hereby, **Baidas** was referring to his own experience and to his Palestinian roots. It is worthy to mention that **INTRA**, as a company, still owns a basin for ship-building in France. In addition, **Intra Bank** was the first foreign bank that opens a branch in Washington D.C.

b. THE SERVICES SECTOR (TOURISM & INSURANCE)

Palestinians contributed to the revitalization of tourism in Lebanon through the establishment of many travel and tourism specialized companies and agencies. In the forefront of these tourism companies was **Naawas Company**. The Palestinian proliferation in most countries around the world after the Palestine catastrophe encouraged the establishment of such companies.

The initiative that was conducted by **William Botaji** and **Alfred Sebti** to build furnished apartments was one of the most important steps to be taken in the field of tourism promotion among Arab countries. These apartments have been successful in attracting Arab students who had traveled to Lebanon to study in its universities.

In another related field, the Palestinian businessman **Basem Fares** established the largest insurance company in Lebanon (**Arab Insurance Company**). **Fares** was the chairman of this company, followed later by another Palestinian **Bader El-Fahoum**. At that time, most of the company's staff and workers were Palestinians.

It is noteworthy to mention that the Palestinian **Asaad Naser** occupied the post of the **General Manager in the Middle East Airlines (MEA)** for several years.

In addition, we can not but mention in this context, the well-known **Abella supermarkets**, restaurants chain, hotels and catering, which was owned by the Palestinian **Albert Abella**.

c. THE ENGINEERING & CONSTRUCTION SECTOR

In the field of engineering and construction, several Palestinian names surfaced, such as: **Rida Irani**, whose constructions work exceeded the Lebanese and Arab boundaries and reached the level of work of international companies.

Also, there was the **Consolidated Contracting Company (CC&C)** that achieved and implemented several important projects in Lebanon²⁸, and all around the world. The origin of this pioneering company goes back to **1943** when **Hassib Sabbagh** with four other contractors established (CC&C) in Haifa. The Palestinian catastrophe pushed **Sabbagh** to leave Palestine in April **1948** towards Lebanon. In **1950**, three talented young entrepreneurs, **Kamel Abed El-Rahman, Hassib Sabbagh, and Said Khoury**, joined forces to re-create the (CC&C), which became later the region's largest multinational company and one of the largest contractors worldwide. After its recreation, (CC&C) started with a value of three million dollars, and in the

²⁸ Including the expanding of Rafik Hariri International Airport during the era of reconstruction in Lebanon in 1990s

first five years of its operations, the company was able to conduct projects valued at more than \$ 18 million²⁹.

Also, **Dar El-Handasa** Company emerged, which is specialized in engineering studies and consultancy. It conducted services for many of the projects that have been implemented in Lebanon, particularly in the period of reconstruction after the end of the war in Lebanon in 1990. In addition, it is precious to point out to **Khatib and Alami Company**, which provides engineering consultancy services in a variety of areas. Since 1984 the company has continuously ranked amongst the top 100 International Design firms as published by Engineering News Record (ENR). Also it has obtained the ISO 9001:2000 certification for its Quality Management System. **Khatib and Alami** hires many Lebanese and Palestinians as per the permitted quota enforced by the Lebanese laws³⁰.

Within the same context, we shall highlight the names of many other local construction companies, such as **ALICO** owned by **Dawoud El-Ali** and the company of **Mousa Shennawi** and **Abdullah Numani** in Tripoli, which is specialized in residential and tourism buildings.

d. THE INDUSTRIAL SECTOR

In this sector, there are several prominent Palestinian names such as: **Fouad and Nihad Al-Saied**, **Anis El-Bibi**, **Neameh Nekho**, and others as well... Some of the Palestinian businessmen that were active in this sector, were able to develop their own industrial enterprises and to become among the major players in the industrial sector in Lebanon. As an example, we mention **Attallah Freij** factory, which employs more than one hundred employees and workers.

e. THE ACCOUNTING SECTOR

In this sector, several auditing firms that were run by Palestinians emerged. As an example, we mention **Goerge Awaeda** firm³¹. Another example would be the auditing firm owned by **Fouad Saba**, which is considered one of the largest accounting firms in Lebanon.

3. OTHER ECONOMIC IMPACT

Besides to all the above, there is no doubt that Lebanon had benefited from becoming the new center of services for the region, a role that was played by Palestine before the establishment of Israel, especially after transferring Haifa port activities to Beirut and shifting Iraq oil to Lebanon.

²⁹ At the end of 2004 CCC was employing 69,000 employees composed of 60 nationalities with total revenues of 2.1 Billion US dollars

³⁰ At the end of 2006 the company was employing 2050 engineers, technicians, and administrators.

³¹ He occupied the presidency of the Auditors Union in Lebanon

That shift was accompanied with the relocation of many oil experts, technicians, and administrators who had contributed to the improvement of work in the refineries in Tripoli (Northern Lebanon) and Zahrani (Southern Lebanon). The Palestinians prior expertise in the oil industry and their fluency in the English language because of the era of the British mandate enabled them to

build connections and relationships of trust with affluent figures in the oil-rich Gulf States. This gave the Palestinians the chance to work as representatives to those figures, to follow up on their work, and to manage their investments in Lebanon. Consequently, those investments had positive impacts on all the economic sectors helping in the recovery and prosperity of the Lebanese economy.

Despite the fact that many of the previously mentioned Palestinian businessmen obtained the Lebanese nationality for many reasons³², the Lebanese community kept dealing with them as refugees and outsiders.

The underneath table provides a listing to the most eminent businessmen from Palestinian origins³³:

No.	Prominent Palestinian Businessmen	Description (Post)
1.	Abed EloMajied Shouman	Founder of the Arab Bank
2.	Youssef Baidas	Founder of Intra Bank
3.	Refaat El-Nemer	Chairman of the Board, Beirut Bank for Commerce
4.	Rami El-Nemer	Member of Bankers Association
5.	Basem Fares	Founder of Arab Insurance Country
6.	Bader El-Fahoum	Director General of Arab Insurance Company
7.	Alfred Sabti	Founder of the first Furnished Apartments in Beirut
8.	Theofil Botaji	Founder of the first Furnished Apartments
9.	Albert Abella	Tourism and Catering
10.	Asaad Naser	Previous Director General of Middle East Airlines (MEA)
11.	Mahmoud Mamish	Cinema, Tourism and Restaurants

³² For example, the Lebanese Labor Laws that impeding the foreigner to work as an employer, in addition to the hard conditions of owning lands and property

³³ Published by the Palestinian researcher Saquer Abu Fakher

No.	Prominent Palestinian Businessmen	Description (Post)
12.	Tawfiq Gargor	Tourism and Car Agent
13.	Hasib El-Sabagh	Founder of Consolidated Contractors Company (CC&C)
14.	Saied Khoury	Founder of Consolidated Contractors Company (CC&C)
15.	Kamel Abed El-Rahman	Founder of Consolidated Contractors Company (CC&C)
16.	Rida Irani	Contractor of International Stature
17.	Fouad El-Saied	Businessman
18.	Nihad El-Saied	Businessman
19.	Neameh Nekho	Businessman
20.	Anis Bibi	Businessman
21.	Atallah Friej	Clothing Industry and Trade
22.	Fouad Saba	Accountancy and Auditing
23.	Goerge Awaeda	Accountancy and Auditing
24.	Mahmoud Fustok	Businessman
25.	Eli and Matta El-Bouri	Jeweler and Gems

Let us not forget, that on the same time, UNRWA spent millions of dollars in Lebanon in relief programs such as health and education programs; most of the supplies and materials needed were being purchased from the Lebanese markets this creating enormous economic activity.

In addition, there is the money that was paid as direct cash: for offices rent, warehouses, custom and shipments handling expenses for the goods coming through the port of Beirut and being transferred to other hosting Arab countries. The agency also paid thousands of Lebanese pounds as salaries of its employees.

In general, the UNRWA annual budget was being spent mostly in Lebanon, since the location of its Headquarter was in Beirut. All of UNRWA operations in Jordan, Syria, the West Bank and the Gaza Strip were directed and managed from Lebanon until 1978, when UNRWA had to displace its headquarters from Beirut to Vienna under the pressure of the war in Lebanon³⁴. Furthermore, millions of dollars had been spent as rents for some lands to schools and camps and other facilities provided by the UNRWA.

³⁴ Nowadays UNRWA Headquarter is located in Gaza Strip

UNRWA has also granted refugees some loans aimed at creating job opportunities to enable them to support their livelihood, these loans have created many job opportunities that have contributed to the economic development of Lebanon.

***** END OF CHAPTER ONE *****

CHAPTER TWO

The Lebanese Labor Law and Regulations & The Recent Refugees Situation
Includes the relevant International Refugee and Human Rights Norms,
International Labor Conventions, UN and Arab League Resolutions

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V. PALESTINIAN REFUGEES & THE RIGHT TO WORK

A. BRIEF HISTORY

Lebanon is a multi-confession country with several sects that are officially recognized. In general, Lebanese belong to two main confessions; Muslims, and Christians. The Lebanese political and social life rotates around maintaining the sectarian equilibrium. The religious and sectarian balance in Lebanon had very negative impacts on the Palestinian refugees. As Lebanon found itself hosting a large and overwhelmingly number of Muslim refugee population, conflicts were perhaps inevitable. The Lebanese Christians sensed that the large Muslim refugee population might threaten their economic and political dominance, and may alter the demographic distribution in the country... They feared, and still fear, that their presence could alter the sectarian balance and political status quo by serving as a focal point for the growing discontent of the Muslim Lebanese. The Muslim Palestinian refugees may be used by Lebanon's Muslims to claim a greater share of power and national resources³⁵.

Some important developments occurred in the **mid-1950s** in the Middle East that had important effect on the Palestinian refugees

in Lebanon. Arab nationalism was on the rise: the Arab Socialist Baath Party emerged in Syria while, simultaneously, Nasser rose in Egypt and posed as the predominant Arab nationalist leader. The Palestine question added mightily to renewed interest in Arab nationalism. The policy of alliance that prevailed amongst the Arab countries led to three months civil war (**1958**) in Lebanon. New president Fouad Shihab was elected after that war.

One of the top priorities of the Lebanese secret police (*Deuxième Bureau*), since it was established by Shihab in **1959**, was to guard against Palestinian "subversion". Shihab considered the Palestinians a potent threat to Lebanese security; he reacted by, among other things, deciding to curtail their movement inside the country. Hence, the Palestinian refugees were subjected to several restrictions, which were imposed by the Lebanese military and security apparatus, which led to a widespread discontent amongst the refugees. Furthermore, several legislations were issued in Shihab's era that worsened the Palestinian socioeconomic and political situation

³⁵ Later, the competition that emerged between Sunni and Shiette Muslims increased the fear of Shiette from the resettlement of Palestinian refugees in Lebanon, as most of them are Sunni Muslim.

On 28 May 1964, the first Palestinian Conference was held in Jerusalem, in-which the emergence of the Palestinian Liberation Organization (PLO) was announced. The defeat of the Arabic countries in the Six Day War (**June 1967**) resulted in a wave of support for the Palestinian military operations against Israel in many Arab countries, including Lebanon where PLO started to enlarge its military operations. The growth of the Palestinian artillery activities from the Lebanese land accompanied with the heavy Israeli retaliations increased the level of friction between the Lebanese army and the Palestinian forces. As many Lebanese citizens were supporting the Palestinians due to several factors (sympathy, discontent with the Lebanese political regime...), in addition to the Egyptian mediation, General Emile Bustani, the Commander of the Lebanese Army, signed secretly, in **November 1969**, an agreement with Yasir Arafat, Head of the PLO, known as the Cairo Agreement. This Agreement granted residency, freedom of movement, and labor rights to the Palestinian refugees, as well as autonomy in the refugee camps and the right to carry out armed attacks against Israeli targets from Lebanese land³⁶.

The clash that occurred between the PLO and the Jordanian Authority (known as Black September) in September 1970, led to the transfer of PLO headquarters and its military apparatus from Jordan to Lebanon on time that Lebanon was suffering from several factors which was playing a role in restructuring it, thereafter, PLO rapidly became a political power in Lebanon . Moreover, Black September events resulted in the fleeing of several thousands of Palestinians towards Lebanon...

At that time, and as stated above, the Lebanese atmosphere was heating with tension amongst the various parties in the country polarizing it into two sides: proponents and opponents of the Lebanese regime. Many factors stood behind that tension, in which we could summarize them as follows:

- ❑ Imbalance of the Lebanese political system
- ❑ Unequal distribution of wealth
- ❑ Lebanon's foreign policy orientations
- ❑ Israeli interference in the internal Lebanese friction as well as the regional and international interference

³⁶ These rights were tied to the Cairo Agreement and have never become national legislation

Within such tension circumstances, the growth of the armed Palestinian presence accelerated the the eruption of the war in 1975.

The continuous confrontation between PLO and Israel led the latest to launch on **14 March 1978** military operation (code-named Operation Litani), where the Israeli army invaded Lebanon occupying the area south of the Litani River and forming a security belt along the Lebanese Borders. **On 19 March 1978** the United Nations Security Council adopted Resolution 425 and 426 that led to the formation of the United Nations Interim Force in Lebanon (UNIFIL) with the objective to confirm Israel's withdrawal from Lebanon, restore international peace and security, and help the Government of Lebanon restore its effective authority in the area; and till the date of issuing this report, Israel did not execute these two resolutions!

In June 1982, Israel invaded Lebanon again in order to expel PLO out of the country. This invasion resulted in huge number of casualties amongst the Palestinians and the Lebanese in addition to a massive destruction in Lebanon. As Beirut was besieged by the Israelis, U.S. delegate, Philip Habib, negotiated with the warring parties for an end to the fighting and for the establishment of a peacekeeping force in Beirut. Based on the negotiations, PLO agreed to withdraw from Beirut, after obtaining international guarantees for the protection of Palestinian

civilians. Thus, the Multi National Forces (MNF) was established with contributions from the U.S., France, Italy, and later the United Kingdom. The PLO withdrew from Beirut to Tunisia on August 30, 1982; the Marines and the other foreign troops later withdrew to ships in the Mediterranean Sea.

The **International Guarantees** did not succeed to protect the civilian Palestinians who were exposed to the severe humanitarian violations!!! At the mid of **September 1982**, thousands of Palestinian and Lebanese were murdered in Sabra and Shatila camps (known as Sabra and Shatila Massacre) which highly annoyed the Arab and International Communities!!!

This incident prompted the International Community to organize a new (MNF) with USA, France and Italy. **On September 29**, this new force entered Beirut, with about 1,200 Marines. Their mission was to help the new Lebanese government and army to ensure stability in the country. **On October 23**, the MNF underwent a devastating blow, when bombs truck driven by a suicide bomber hit the U.S. Marine where another suicide bomber targeted the French Paratrooper barracks in Beirut, killing 241 American and 58 French soldiers. With this incident, the (MNF) suffered its greatest number of casualties and drew calls to withdraw from Lebanon.

It is worthy to mention that by **1982** the Palestinian "economic activities" in Lebanon contributed to more than 15 percent of the Lebanese gross national product, and that PLO and affiliated institutions had created **10,000 jobs directly and 30,000 indirectly**. According to one estimate, "the entire PLO budget by that time may have been larger than that of the Lebanese state itself." Thus, the prosperity years of the Palestinian refugees in Lebanon had to be terminated.

In **May 1985**, conflict began between the Palestinian forces and the Lebanese pro-Syrian Amal Militia in the camps of Beirut and southern Lebanon. During this war (**1985-1987**), known as "the War of the Camps". Amal Militia did not manage to gain control of any of the Palestinian camps, but intensive bombardments led to the destruction of some camps. Throughout this period, thousands of Palestinians were displaced inside Lebanon, and some of them sought asylum abroad, where Scandinavian countries (Sweden, Denmark...), Germany, in addition to other European countries opened their borders to a large proportion of them.

The signing of the Taief Agreement in **October 1989**, which excluded the Palestinian within its content, particularly on the **General Forgiveness Issue**, paved the way for an end to the war in Lebanon.

Afterwards, the Lebanese government allocated the Ministers Abdallah El-Amin and Shawki Fakhoury to elaborate the discussion about the Palestinian demands. Several meetings were held, and then the dialogue terminated pending the outcome of the peace process that was launched in **1991**.

The **Oslo Agreement** that was signed in **September 1993** between the PLO and Israel did not include the question of Palestinian refugees in the negotiation agenda nor in the agreements that followed. As a result, Lebanon announced its refusal to accept the long-term presence of Palestinians on Lebanese territories and requested their eventual transfer to other countries. Thus, Lebanon adopted several policies aimed to reduce its Palestinian refugee population. Under the new discriminatory laws that were imposed by the Lebanese government, Palestinian civil, political, economic, and social rights were violated. Notice that these policies enjoyed considerable internal support by those Lebanese who used to blame the Palestinian refugees for the outbreak of the war.

B. THE RIGHT TO WORK IN THE INTERNATIONAL LAW

The right to work is a fundamental human right, contained in **article (23) in the Universal Declaration of Human Rights (UDHR)**, and perhaps the most important of the socioeconomic rights since access to work is necessary to be able to provide for oneself and one's family. The constitution of the International Labor Organization (ILO) states that interdependence exists between labor conditions, social justice, and world peace. The preamble of the Constitution in its first paragraph concludes; "*universal and lasting peace can be established only if it is based upon social justice.*"

ILO's Declaration of Philadelphia (dated 10 May 1944) stated; "*all human beings...have the right to pursue both their material wellbeing and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity.*"

The ILO's Convention for Employment Promotion and Protection against Unemployment (1988) was designed to combat unemployment and to promote various actions taken by the states to reduce the effects of unemployment by providing, for instance, social security. States "*shall take appropriate steps to coordinate its system of protection against unemployment and its employment policy.*" **Article (6)** of this convention stipulates "*each member shall ensure equality of treatment for all persons protected, without discrimination on the basis of race, color, sex, religion, political opinion, national extraction, nationality, ethnic or social origin, disability or age.*" Notice that, Lebanon has not yet ratified this convention.

On the other hand, the second paragraph of **article (2) in UDHR** states that "*everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, religion, political or other origin, property, birth or other status.*" Thus we perceive that UDHR protects non-citizens against discrimination, in all its articles, except the articles specifically referring to rights given to a person in his country. The international protection against any kind of discrimination can be found also in **article (2) of the International Covenant on Civil and Political Rights (ICCPR)**. **Article (6) of the International Covenant on Economic, Social and Cultural Rights (ICESCR)** guarantees everyone the right to work without any discrimination. **Article (7) of the same Covenant** stated on further guarantee by giving everyone "*the right to the enjoyment of just and favorable conditions of work,*" meaning the right to fair wages and equal remuneration for work of equal value without distinction of any kind. In addition, **article (5) of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD)** states that "*the right to work, to free choice of employment, to*

just and favorable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favorable remuneration" should be enjoyed without any discrimination based on race, color or national or ethnic origin.

C. CASABLANCA PROTOCOL - 1965

The appalling socioeconomic conditions of the Palestinian refugees in the host countries motivated the Arab League's Council of Ministers in **March 1959** to call on member states to "*consider with compassion the possibilities of securing employment opportunities for Palestinian refugees residing in their lands.*" Later on, emphasizing on the principle of "*securing employment opportunities*" the Council of Foreign Ministers of Member States agreed, in its meeting in Casablanca on **10 September 1965**, upon several regulations, and called upon member states to take the necessary measures to put them into the sphere of implementation. These regulations would be known as Casablanca Protocol, which stipulated in its first article: "*whilst retaining their Palestinian nationality, Palestinians currently residing in the land of... have the right of employment on par with its citizens.*"

Notice that Lebanon had adopted an ambiguous approach to the Casablanca Protocol. While signing the document, Lebanon entered reservations to all of its articles. Lebanon announced that Palestinians residing in its territory were already granted the right of employment "in accordance with prevailing social and economic conditions in the Republic of Lebanon." Here another question will be invoked: **Was the Lebanese reservations on granting the Palestinian refugees their rights motivated by actual Lebanese interests?**

D. THE RIGHT TO WORK IN THE LEBANESE LAWS

The **Lebanese constitution** stated in its **preamble on paragraph B**: "*Lebanon is Arab in its identity and its association. It is a founding and active member of the league of Arab States and abides by its pacts and covenants. Lebanon is also a founding and active member of the United Nations Organization and abides by its covenants and by the Universal Declaration of Human Right. The Government shall embody these principles in all fields and areas without exception.*" Further, **Article (2) of the Code of Civil Proceedings** states that: "*in the case of a conflict between national and international law, the latter shall prevail.*"

From a legal point of view, this means that any regional or international covenants or convention, come at the top of the Lebanese legal hierarchy, thus every law or legislative procedure must be compatible with them. This will invoke the following question: **Does the Lebanese state respect its obligations regarding the Palestinians' right to work?**

1. THE LEBANESE LEGISLATIONS RULING PALESTINIAN REFUGEES

At The first year of the exodus, the Lebanese authority viewed Palestinians as refugees residing temporarily in the country. Hence, no laws were passed dealing with their legal status. That view started to change by the beginning of **1950s**, when it had become clear that the Palestinians were more than temporary visitors. Thereby, the **“Central Committee for Refugees Affairs”** was set up to cooperate with the new UNRWA Agency in defining the status of the refugees.

Since that time, the Palestinians legal status had to pass many Lebanese treatment aspects that were the direct result of the internal, regional, and international developments. The first sign of such Lebanese changes in treatment was when the **Minister of Social Affairs, Emile Lahoud**, issued in **1950** a decision, which prevented Palestinian refugees from accessing the Lebanese labor market without prior work permit, despite that the consecutive Lebanese governments had agreed with the United Nations to employ the refugees in various development projects in the country.

Based on sectarian considerations, that decision caused a split amongst the Lebanese, in a way that pushed the Lebanese President Beshara El-Khoury to postpone its implementation on the refugees.

On the other side, many restrictions were imposed on the Palestinians by the Lebanese military intelligence. It was mandatory for Palestinians living inside the camps to obtain a permission from the military agency to enable them to move outside these camps.

On **31 March 1959**, **Legislative Decree No. 42** was issued proclaiming the formation of a **“General Directorate of the Department of Refugees Affairs in Lebanon”**³⁷. It was created as a part of the Ministry of Interior. **“Decree No. 927”** spelt out the departments' tasks; it was, amongst other charges, liaising with relief agencies, receiving applications for obtainment of passports, and submitting comments to the security agencies. **This decree is considered the main attempt that had been done by the Lebanese authority to regulate the Palestinian presence in Lebanon.**

On **10 July 1962**, the law regarding **“Entry to, Residency in, and Exit from Lebanon”** was issued, defining the term **“foreigner”** in **article (1)** as follows:

“By foreigner is understood to mean, in this law, any natural or juridical person who is not a

³⁷ Currently it is called "General Directorate for Political and Refugees Affair".

Lebanese subject."

That law stipulated many conditions, which restricted the foreigner's access to the Lebanese labor market. **Article (25)** forbade *"the non-Lebanese foreigner from engaging in any work or profession in Lebanon unless so licensed by the Ministry of Labor and Social Affairs in accordance with the laws and rules and regulations in force."* Within the context of 1962 law, Lebanese legislator classified Palestinian refugees as foreigners, albeit with a **"special status"**. Later on, the **Minister of the Interior** issued **Decision No. 319**, which incorporated the Palestinians in the **"third category"** of the five categories of foreigners. That Decision defined Palestinian refugees as *"foreigners who do not carry documents from their countries of origin and who reside in Lebanon by virtue of residency cards issued by the Directorate of the Surete General (General Security) or identification cards issued by the General Directorate of the Department of Refugees Affairs in Lebanon."*

2. THE LEBANESE LABOR LAW

The labor legislations in any country are considered a public legislation that tackles the national socioeconomic interests of the country. By such laws, the legislator regulates the position of both the employers and the wage earners, ensures the protection of the national rights, and at the same time restricts the foreigner's freedom access to the labor market in the country. The national policy towards the expatriate labor is usually based on the extent of need for the sufficient work force. Every time the country being in need to such force, labor legislations will be designated to meet the national demands, in a way to attract the expatriate labor and provide the foreigner with facilities, privileges and, benefits to bring them to work in the country.

Lebanon is considered a country of emigration, while its laws impose

restrictions on the involvement of foreign workers in the Lebanese economic sectors. Until the issuance of **decree No. 17561 in 18 September 1964**, there was no clear and specific legislation regulating or restricting the expatriate labor in the country. This decree regulates the compulsory prerequisites for a foreigner to gain a work permit. **Article (8)** of the decree subjects national and foreign institutions to the regulations of the law. **Article (53)**, stipulates that foreign workers should benefit from all rights enjoyed by Lebanese wage earners upon termination of service, if their country of origin provides reciprocity treatment for Lebanese workers. The decree also allows foreign workers to acquire union affiliation on condition that they are licensed

to work in Lebanon. Thus, the established principle of reciprocity in the Lebanese labor law, where a foreigner desires to work in

Lebanon concerned the reciprocity in treatment as well as the obtainment of a work permit.

We could distinguish three categories of work that exist in the Lebanese labor law:

- ❖ Professions where **syndicates** regulate the labor market access where membership in these syndicates is mandatory to work in respective field of work
- ❖ Professions where a **work permit** should be obtained from the Ministry of Labor. This category includes a number of occupations ranging from door-man to bank managers.
- ❖ Professions where **no work permit** is necessary; This includes mainly manual labor jobs such as construction and agriculture.

a. SYNDICATE PROFESSIONS

The practice of some trades and professions are reserved to members of professional societies and associations. Professionals that are unaffiliated to those syndicates are prohibited to work in their trade. Here some examples of professions regulated in this way in Lebanon³⁸.

- i. **The Bar Association:** the conditions regulating the practice of law were set in **law No. 8/70, dated 11 March 1970**, and subsequent amendments. **Article (5)** defined the conditions for affiliation to this society as follows: "*it is incumbent on whoever intends to practice the legal profession to be, first, of Lebanese nationality for at least ten years.*" Since Lebanese nationality is a prerequisite for working as a lawyer in Lebanon, foreigners are effectively excluded from this profession.
- ii. **The Medical Association:** **Decree No. 1658 dated 17 January 1979** permits foreigners to practice medicine in Lebanon if they are nationals of a state that applies the reciprocal treatment principle, although a certain degree of discrimination is evident between nationals of foreign countries and those of Arab countries.
- iii. **The Syndicate of Pharmacists:** a law dated **31 October 1950** regulated pharmaceutical practice in Lebanon. This law imposed on the non-Lebanese different conditions, depending on whether he is a national of an Arab country or a foreign country, and in both cases, permission to practice was conditional on reciprocity in

³⁸ Note that the foreigner who affiliated to the syndicate needs work permit from the labor Ministry at the time get employed at any company in Lebanon

treatment.

- iv. The Engineering Associations:** these associations obey the stipulations of law dated **22 January 1951**. This law distinguishes between the foreigners from Arab countries and those who are from foreign countries. In general, the stipulations of this law perceive the need to have the legislature of the country of the would-be affiliate provide reciprocal treatment to the Lebanese engineer.

b. OCCUPATIONS REQUIRING WORK PERMITS

Several amendments have been made to the **decree No. 17561**, regulating occupations that do require a work permit. The law gave the Minister of Labor the authority to issue Ministerial Decisions to categorize the professions that are restricted to Lebanese citizens only. In this sense, the subsequent Ministers have issued several Ministerial Decisions. **Decision No. 289/2 from 1982, Decision No. 621/1 from 1995 and Decision 79/1 from 2005** are such amendments that included the professions' classification. Here some examples of the professions, which are restricted to Lebanese citizens only:

- i. Workers:** All type of administration and banking jobs, especially: general manager, manager, deputy manager, staff manger, treasury, accountant, secretary...workers supervisor, store manager, sales worker, exchange jobs, jeweler, laboratory, pharmacy and electrical workers, electronic, painting, glass fixing, mechanics and maintenance, doorman, concierge, hairdresser, elementary/secondary and high school teachers...
- ii. Business Owners:** Trade business (all categories), exchange, accounting, engineering (all categories), contracting and building, trades, jewelers, shoes and clothes manufacturing, furniture and related works, patisserie, printing and publishing, hairdresser, ironing and drying, car maintenance (smith-works, mechanical, glass fixing, furniture and electricity)...in general any job that impedes the chances for Lebanese.

Thus, we can perceive the extensive number of occupations that foreigners are deprived from practicing in Lebanon. In all of these professions, priority should be given to the Lebanese. Some categories of foreigners are exempted from the reciprocity principle of the 1964 law, those are foreigners who have resided in Lebanon since birth; foreigners with Lebanese mothers; and foreigners married to Lebanese females. It is crucial to mention that Lebanon forbids foreign employers from working in Lebanon except upon obtainment of foreign businessmen's permit.

c. JOBS WHERE WORK PERMITS ARE NOT REQUIRED

This third class of jobs and occupations is exempted from the main rule that a work permit must be obtained in order to work in Lebanon. Most of these jobs are mainly in the agriculture field and construction and day laboring that is of irregular and poorly paid jobs.

The opportunity for non-citizens to work in Lebanon is thus severely hindered by laws and regulations aimed to reserve the labor market for Lebanese citizens. The only jobs that, in practice, are accessible for unskilled foreigners are the jobs in the "third category". Foreigners that are well educated in domains such as medicine and engineering can get a work permit if the respective syndicate accepts them, depending if the principle of reciprocity is fulfilled.

E. ABSENCE OF SOCIAL SECURITY

In an associated field, the employed Palestinian refugees are not entitled to the Lebanese social security benefits, despite being contributing to the social security funds. **Article (9), Paragraph (3) of the Social Security Law dated 26 September 1963** states that *"the said foreign wage-earners shall benefit from the provisions stipulated in the social security law, provided they hold work permits as per the laws and rules and regulations in force and provided that reciprocal treatment is afforded its own nationals where social security is concerned."*

Therefore, two conditions should be found in order to consider the foreign wage earner entitled to the Lebanese social security:

- Having a legal work permit issued by the concerned Lebanese Authority
- The state of which the foreign wage earner belong, afford the Lebanese worker on its own territory reciprocal treatment, as provided to its own nationals.

Under the second condition, it seems impossible even for a Palestinian holding a work permit to prove that his "state" had decided reciprocal treatment for Lebanese.

F. THE IMPACT OF LEBANESE LABOR LAW ON THE PALESTINIAN REFUGEES

The above-mentioned legislations did not address the definite status of Palestinians residing in Lebanon. As Palestinians who fled towards Lebanon in 1948 considered in some Lebanese legislation "refugees", other legislations such as labor law considered them foreigners, regardless of their special status in the international law as "stateless persons". This means in practice, that all Palestinian refugees who seek employment in Lebanon should be subjected to the main two

conditions: **reciprocity treatment; and obtainment of work permit.** Thus, the Lebanese legislator accorded the foreigner in Lebanon better treatment than the Palestinian, permitting him to work in a number of occupations whenever his country extended the Lebanese national reciprocal treatment.

1. SYNDICATE PROFESSIONS

Since the syndicates require an applicant to be a Lebanese citizen or at least be a citizen of a country that would give Lebanese nationals the right to work in the same profession, Palestinians do not have access to syndicate professions. This is because Palestinian refugees in Lebanon are effectively stateless and the requirement of reciprocity can thus not be met.

2. OCCUPATIONS REQUIRING WORK PERMITS

With regard to the legislation in force, no foreigner may work in Lebanon, whether paid or unpaid, without prior permission (work permit) from the Ministry of Labor, with priority given to Lebanese. However, we have shown that some foreigners are excluded from the reciprocity principle of the 1964 law. The exclusion of people residing in Lebanon since birth should be applicable to the majority of Palestinians that are actually born in Lebanon and not in Palestine. Thus, there is no formal obstacle preventing Palestinians born in Lebanon from gaining permission to work in such professions.

However, this is only true in theory. In practice, the Lebanese authorities have always restricted Palestinians to get the work permit. Very few Palestinians were being granted work permits. The table below demonstrates the number (No.) of work permits per year that have been granted to the Palestinians since 1967

Year	No.	Year	No.	Year	No.	Year	No.	Year	No.	Year	No.
1967	1244	1968	2448	1969	2362	1970	1826	1971	1990	1972	1866
1973	1850	1977	307	1978	312	1979	284	1992	193	1993	358
1994	357	1995	354	1996	449	1997	460	1998	358	1999	350
2001	316	2002	293	2003	245	2004	245	2005	278	2006	223 ³⁹

³⁹ The No. of new work permits is 39, while 184 are renewed

Notice that the number of granted work permits varied from the time when Palestinians were enjoying the privileges of Cairo Agreement that was signed between PLO and the Lebanese state. We can also observe that since the beginning of the war in Lebanon in 1975, number of work permits extremely decreased.

According to some interviews with sources in the Lebanese Labor Ministry (whom preferred not to mention their names), many Palestinians are working without any work permit. Despite the fact that the Syrian and Palestinian workers pay only 20% of the work permits fees, Lebanese employers do not issue them the permits in order to avoid paying the permits' fees as well as the consecutive financial and legal commitments.

Hereby we should mention that Lebanese work permits are classified into different categories, according to the kind of job, where the fee of a permit ranges from 240,000 to 1,500,000 Lebanese Pounds.

Even though there is lack of accurate information about the real number of Palestinian labor force members, where some figures claim that it ranges between **70,000 to 80,000 Palestinians**. Thus, we can conclude that **223 out of 70,000** Palestinian workers (**minimum number**) were granted work permits in **2006** comprising **0.31%** of their total number. While **16,945** Egyptians out of **19,488** Egyptians residing legally in Lebanon were granted the permission in the same year comprising about **87%** of their number⁴⁰ (**2006 statistics**).

3. JOBS WHERE WORK PERMITS ARE NOT REQUIRED

Manual labor and agriculture jobs do not require work permits. These are the type of jobs that the Palestinians are forced to resort to, as they are practically barred from the rest of the labor market. Even such kind of jobs started to be hard for the Palestinian to get, due to the massive influx of Syrian workers toward Lebanon in the period of "Second Republic." Since living expenses are low in Syria, Syrian workers accepted much lower wages than Palestinians who had to cope with the relatively high cost of living in Lebanon. Nowadays, the Palestinian work in the agriculture sector became increasingly difficult.

At the same time during which Lebanon hindered the Palestinian access to the labor market preferring other expatriate labor, some studies indicated that approximately **100,000** Palestinians are working abroad and sending monthly financial assistance to their families in Lebanon.

⁴⁰ Within this context about 30.309 Philippians were granted work permit in 2006

So for example, if we assumed that **25,000** of them are sending an average amount of **200 US dollars** each, we will find that around **five million dollars** monthly are being transferred to Lebanon from Palestinian expatriates abroad. While the Sri Lankan community, of almost **80,000 workers**⁴¹, moves out of Lebanon the equivalent of **eight million dollars** monthly, if we considered that the average remittance per employee is **100 dollars**. On the other hand, the Syrian adult workers, who consist at least **200,000 workers** in Lebanon⁴², are remitting an average of **one million dollars** a day, if the average conversion is **5 dollars** per day.

It is worth mentioning that UNRWA is spending **tens of millions of dollars** every year in return of services covering some of the Palestinian refugees' demands in Lebanon.

The budget of UNRWA in **2006** was about **68,854 million dollars**, which was spent on the various services (education, health, relief and social services ...), including the salaries of its employees (**3189 employees**) in

Lebanon. In addition to the sums of money that are disbursed by the NGOs working within the Palestinian community, as well as the foreign NGOs and associations that provide Palestinian refugees in Lebanon with services. Finally, not to forget the several millions of dollars being spent by PLO as salaries and expenses for its various institutions, which provide some of the support to the Palestinians in Lebanon.

Although the Palestinians in Lebanon are receiving direct and indirect funds for their support, however their situation and the services provided to them are not improving. **This will invoke the question of why and what are the reasons that stand behind such results?!!**

⁴¹ The records of Lebanese Labour Ministry for 2006 stated that 28,944 Sri Lankan working legally in Lebanon. In 1998, the Sri Lankan Labor Minister, John Senevirathna, estimated that some 80,000 of his compatriots were working in Lebanon, both legally and illegally.

⁴² Estimates for the number of Syrian laborers in Lebanon vary wildly, fluctuating between 200,000 and one million

VI. PALESTINIAN REFUGEES RECENT ECONOMIC & SOCIAL SITUATIONS

A. THE LEBANESE VIOLATIONS

The aggressive Lebanese attitudes towards the Palestinian refugees, that are legitimized by several laws, regulations and orders, have an extremely negative impact on the Palestinian situation. The Lebanese denial of the Palestinian rights can be summarized as follows⁴³: The right to fair trial, the right to free movement⁴⁴, the right to nationality, the right to own property, the right to work, the right to adequate housing.

The inability for the Palestinians in Lebanon to freely choose their occupation has led to poverty, apathy, and general depression among the Palestinian community. Unemployment rates are very high, household income very low, and the health situation in the camps is deteriorating. According to a study conducted by FAFO in 2000, 20% of the refugees suffer from chronic health failure and the same percentage uses medicine due to psychological distress.

B. THE RECENT SITUATION

1. UNEMPLOYMENT SITUATION

Unemployment among the Palestinians is very high especially in the period of "Lebanese Second Republic." The actual unemployment figures vary greatly depending on source.

In a report issued by UNRWA in 1995, the unemployment rate among the Palestinians in Lebanon was estimated to 40%, compared to 14-15% in Syria and 18.8% in Jordan.

Those figures include the "black labor market", and self-employed Palestinians such as shopkeepers in the camps. Even vocational training centers conducting training courses for Palestinians to gain new skills, know that it will be impossible for their students to gain work permits.

2. FISCAL SITUATION

The fact that Palestinians are being deprived the chance of gainful employment severely disturbs the community's financial situation. The number of hardship cases in Lebanon is the highest in the UNRWA's five fields of operations, according to UNRWA figures in 2006, the number of

⁴³ For further information about the Lebanese violations of the Palestinian rights, refer to: The Palestinian Refugees Situation in Lebanon <http://www.palhumanrights.org/reports/ENG/pal-ref-situations-05.pdf>

⁴⁴ Example of such a violation: when the Lebanese government in 1995 decided that Palestinian holders of Lebanese travel documents would henceforth be required to obtain permission to leave and enter the country; this ruling was later revoked in January 1999.

hardship cases was **12%** in Lebanon comparing to **7%** in Syria, and **3%** in Jordan.

Even, Palestinians who have been able to get work permits and good jobs in Lebanese companies, still suffer on the economic level because they are refugees. Deduction for social security are applied on their salaries, but since the law regulating social security is built around the principle of reciprocity for foreigners, the Palestinians are denied benefits, for example in case of work related injuries.

3. EDUCATIONAL SITUATION

When the Palestinians firstly came to Lebanon in **1948**, they were educated and they played a leading role in the Lebanese higher education.

However, the image of Palestinians in Lebanon as highly educated people has changed during the last decades. Apart from the fact that Palestinians can rarely afford to go to Lebanon's many private schools, nowadays, motivation to study is very low among the Palestinian youth.

Since the Palestinians have very hard time in acquiring work permits for jobs involving brainpower rather than manual labor, few youth see any point in acquiring a good education. According to **2000 FAFO study**, **21%** of children **7-8** years olds are not enrolled in any education and enrollment

rates for **15-24** years old students are half those of the rates for Lebanese students. Of those who drop out early, four students out of ten leave due to de-motivation. Here it is worth mentioning that the absence of professional guiding for students in the studying secondary stages played an important role in the selection of some Palestinian students to specialties that are not demanded in the labor market.

On the other hand, we can perceive nowadays that such Lebanese restrictions on Palestinians working in many professions, in addition to the limited opportunities in certain fields of jobs, motivated many Palestinians to choose demanded specialties in which enable them to find jobs either in Lebanon or abroad.

*** END OF CHAPTER TWO ***

VII. CONCLUSION

In our study, we have highlighted the positive effects of the Palestinian refugee community in developing the Lebanese economy and in introducing both the capital and the expertise needed to help in diversifying this economy and in transforming it into a new service-oriented modern economy. This is in addition to the direct cash that have always been injected by the international donors into the Lebanese market as aid expenses to support the Palestinian refugees.

Lebanon used to justify its discriminatory laws and regulations that deprive the Palestinian refugees from their rights, arguing that the Palestinian access to the labor market must be restricted in order to protect the Lebanese workers in a meaning to maintain the sectarian balance within the occupations. Such argument abandons the fact that the sectarian balance has already been disrupted in favor of the Muslims taking into consideration that the Palestinians would not gain the right to vote even if they were given the right to work.

Another misleading excuse that is also frequently used by the Lebanese government is that the Palestinians may want to stay and be naturalized in Lebanon if given the access to the labor market. Again, this is a false argument, as Palestinian refugees expressed their insistence on their right to return in every single occasion. All that they are seeking is their human rights as refugees in the Lebanon, similar to what other refugees in Syria and Jordan are enjoying. Other refugees are still maintaining their status as Palestinians in spite of being able to work and live decently in their host countries. Thus, the right to work would therefore not automatically lead to naturalization.

Thus, we could conclude that the hidden policy adopted by the Lebanese Government to punish all the Palestinians because of their role in the Lebanese war cannot be considered a valid reason either. If some Palestinians in Lebanon refuse to abide by Lebanese law, they should be subjected to a fair trial, but not to impose a collective punishment on civilians whom follow and respect the laws.

The absence of a legal definition of “the Palestinian refugee” in Lebanon makes the Lebanese legislator treat the Palestinians as foreigners when it comes to their right to work, regardless of their special status as

refugees according to the Arab measures, and stateless persons according to the international ones. In this regard, it should

be recalled that many of the Lebanese who had been working in Palestine before the catastrophe were treated as Arab citizens on par with the Palestinian citizens without being subjected to the principle of

reciprocity, where most of them after the catastrophe in 1948 had been registered with UNRWA and thus benefited from the services provided.

We could perceive through this brief panorama of the Palestinian presence in Lebanon, which, opposite to what is said, this presence has never been an economic burden on the Lebanese state. As most of the Palestinian expenditures were spent in Lebanon, including the wages of the local Palestinian workers, the remittances of Palestinian expatriates, in addition to the investments owned by wealthy Palestinians in various Lebanese sectors, had improved the Lebanese economy and created job opportunities for both Palestinians and Lebanese.

The deteriorating economic and social situation of the Palestinian refugees⁴⁵ urged the Lebanese Labor Minister to issue in 2005 an internal order bearing the number 67/1. This order exempted Palestinians born on Lebanese territory and officially registered within the records of the Lebanese Ministry of the Interior from the provisions of Article 1 of the ministerial decision number 79/1⁴⁶.

The depth analysis of each the ministerial decision and the internal order lead to the following conclusions:

- ❑ The Palestinian worker is required to obtain work permit for professions exercised by him as a de-facto
- ❑ It makes the employers obliged to pay fees for their Palestinian employees to the Lebanese Social Security (though not benefit from the social security system)
- ❑ These professions do not include those required for practicing, affiliation to the syndicates (doctors, engineers, lawyers ...)
- ❑ Such a decision could be revoked* at any time by another Lebanese Labor Minister

Such conclusions make us believe that the purpose of the decision is not more than an attempt to

⁴⁵ some estimation states that around 95% of the Palestinian workforce is either unemployed or underemployed

⁴⁶ which sets the professions excluded for the Lebanese

* The decision did not take the legislation orientation by being submitted to the Parliament for its approval and then to the President of the Republic to endorse it and turn it into a decree, but remained discretionary, i.e. any other minister can revoke it

avoid compliance with the international and regional laws and standards, especially after the increased demand, to put an end to such arbitrary actions that affect the Palestinian refugees' situation in Lebanon. Further more; it came to cover the reduction in the number of Syrian workers that occurred after the assassination of the Lebanese Prime Minister Rafik El-Hariri in February 2005 and the Syrian withdrawal from Lebanon in April of the same year.

All that has been mentioned in this study about the Lebanese policies towards the Palestinian refugees is just the tip of the iceberg violations that take place on a daily basis in Lebanon. Within this context, it is important to gather the local, regional, and international efforts in order to convince and persuade the Lebanese authorities to bring about the changes in its current policies towards the Palestinians.

The conciliated Lebanese-Palestinian relations are the basic stone to secure both parties common interests. This relationship should be based on a clear vision to ensure the rights for Palestinian refugees in a secure and a stable environment, as well as ensuring the right of the Lebanese state to exercise its sovereignty over the entire Lebanese territories. The Lebanese duty to ensure the elements of a decent life for the Palestinians is a clear obligation in the principles of laws and humanity. Lebanon, which boasts of being a founding member of the Arab League, the United Nations and a participant in the drafting the Universal Declaration of Human Rights, is demanded

to respect all the regional and international charters as per the Palestinian people. If the Lebanese are willing to protect the national right of the Palestinians and, if they are really keen on Lebanon's supreme interest, they should grant the Palestinians their rights. Otherwise, the current policy of Lebanon's refusal to grant the Palestinians their rights is encouraging some Palestinians to be against the laws, harming themselves and others in both the Lebanese and the Palestinian community. It would also push them to adopt illegal methodologies and manners in order to obtain the Lebanese nationality and benefit from the granted rights.

VIII. RECOMMENDATIONS

For all the previously mentioned, where the Lebanese state is practicing a policy of discrimination against the Palestinian refugees, with the aim not to ensure them their rights as human beings that are guaranteed by the International laws as well as the regional instruments,

we recommend from all the concerned bodies the following:

- ❑ Establishing a Lebanese Ministry for Palestinian Refugees Affairs, such Ministry has to deal with the legal, economic and social affairs of the Palestinian refugees
- ❑ Issuing a special legislation from the parliament to ensure that refugees get their economic rights, including the right to work and to join syndicates, in addition to their right to benefit from the Lebanese social security on the same step foot with the Lebanese citizens
- ❑ Permitting the Palestinian refugees to establish the associations and unions, in order to protect their rights
- ❑ Establishing a support fund to be financed by the World Bank, as is the case in Palestine. The contribution of this fund will be allocated to raise the level of health and environmental care within the Palestinian refugees' community, in addition to improve the infrastructure in the camps.
- ❑ Until achieving such demands, prompt action should be taken in order to exempt the Palestinian refugee from the provisions of the law regarding "Entry to, Residency in, and Exit from Lebanon" dated 10 July 1962, as well as the text of Decree No. 17561 dated 18 September 1964, particularly with respect to the principle of reciprocity and the obtainment of a work permit
- ❑ Exempt the Palestinian refugee from the requirement of reciprocity set out in Article 9 of the Social Security Law dated 26 September 1963, in order to take advantage of the social security benefits.
- ❑ Expanding UNRWA's mandate to include legal protection for the Palestinian refugees' categories, and increase its budget to suit proportionally the increase in the number of population, taking into consideration the increase in their needs and requirements and the increase in their expenditure costs.

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***** ANNEXES *****

Annex 1: Cairo Agreement 1969

In consonance with the bonds of brotherhood and common destiny, relations between Lebanon and the Palestinian revolution must always be conducted on the bases of confidence, frankness, and positive cooperation for the benefit of Lebanon and the Palestinian revolution and within the framework of Lebanon's sovereignty and security. The two delegations agreed on the following principles and measures:

The Palestinian Presence

It was agreed to recognize the Palestinian presence in Lebanon on the following bases:

- (1) The right to work, residence, and movement for Palestinians currently residing in Lebanon;
- (2) The formation of local committees composed of Palestinians in the camps to care for the interests of Palestinians residing in these camps in cooperation with the local Lebanese authorities within the framework of Lebanese sovereignty;
- (3) The establishment of posts of the Palestinian Armed Struggle inside the camps for the purpose of cooperation with the local committees to ensure good relations with the Lebanese authorities. These posts shall undertake the task of regulating and determining the presence of arms in the camps within the framework of Lebanese security and the interests of the Palestinian revolution;
- (4) Palestinians resident in Lebanon are to be permitted to participate in the Palestinian revolution through the Armed Struggle and in accordance with the principles of the sovereignty and security of Lebanon.

Commando Activity

It was agreed to facilitate commando activity by means of:

- (1) Facilitating the passage of commandos and specifying points of passage and reconnaissance in the border areas;
- (2) Safeguarding the road to the A'rquab region;
- (3) The Armed Struggle shall undertake to control the conduct of all the members of its organizations and to ensure their non-interference in Lebanese affairs;
- (4) Establishing a joint command control of the Armed Struggle and the Lebanese Army;
- (5) Ending the propaganda campaigns by both sides;
- (6) Conducting a census of Armed Struggle personnel in Lebanon by their command;

- (7) Appointing Armed Struggle representatives at Lebanese Army headquarters to participate in the resolution of all emergency matters;
- (8) Studying the distribution of all suitable points of concentration in border areas which will be agreed with the Lebanese Army command;
- (9) Regulating the entry, exit, and circulation of Armed Struggle personnel;
- (10) Removal of the Jiyrun base;
- (11) The Lebanese Army shall facilitate the operation of medical, evacuation, and supply centers for commando activity;
- (12) Releasing detained personnel and confiscated arms;
- (13) It is understood that the Lebanese authorities, both civil and military, shall continue to exercise all their prerogatives and responsibilities in all areas of Lebanon in all circumstances;
- (14) The two delegations affirm that the Palestinian armed struggle is in the interest of Lebanon as well as in that of the Palestinian revolution and all Arabs;
- (15) This agreement shall remain Top Secret and for the eyes of the commands only.

For the Lebanese delegation

for the Palestinian delegation

Emile Bustani

Yasir Arafat

Annex 2: UN Resolution 194

General Assembly

A/RES/194 (III) - 11 December 1948 - 194 (III) Palestine Progress Report of the United Nations Mediator

The General Assembly,

Having considered further the situation in Palestine,

1. Expresses its deep appreciation of the progress achieved through the good offices of the late United Nations Mediator in promoting a peaceful adjustment of the future situation of Palestine, for which cause he sacrificed his life; and
Extends its thanks to the Acting Mediator and his staff for their continued efforts and devotion to duty in Palestine;
2. Establishes a Conciliation Commission consisting of three States members of the United Nations which shall have the following functions:
 - (a) To assume, in so far as it considers necessary in existing circumstances, the functions given to the United Nations Mediator on Palestine by resolution 186 (S-2) of the General Assembly of 14

May 1948;

(b) To carry out the specific functions and directives given to it by the present resolution and such additional functions and directives as may be given to it by the General Assembly or by the Security Council;

(c) To undertake, upon the request of the Security Council, any of the functions now assigned to the United Nations Mediator on Palestine or to the United Nations Truce Commission by resolutions of the Security Council; upon such request to the Conciliation Commission by the Security Council with respect to all the remaining functions of the United Nations Mediator on Palestine under Security Council resolutions, the office of the Mediator shall be terminated;

3. Decides that a Committee of the Assembly, consisting of China, France, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America, shall present, before the end of the first part of the present session of the General Assembly, for the approval of the Assembly, a proposal concerning the names of the three States which will constitute the Conciliation Commission;

4. Requests the Commission to begin its functions at once, with a view to the establishment of contact between the parties themselves and the Commission at the earliest possible date;

5. Calls upon the Governments and authorities concerned to extend the scope of the negotiations provided for in the Security Council's resolution of 16 November 1948 1/ and to seek agreement by negotiations conducted either with the Conciliation Commission or directly, with a view to the final settlement of all questions outstanding between them;

6. Instructs the Conciliation Commission to take steps to assist the Governments and authorities concerned to achieve a final settlement of all questions outstanding between them;

7. Resolves that the Holy Places - including Nazareth - religious buildings and sites in Palestine should be protected and free access to them assured, in accordance with existing rights and historical practice; that arrangements to this end should be under effective United Nations supervision; that the United Nations Conciliation Commission, in presenting to the fourth regular session of the General Assembly its detailed proposals for a permanent international regime for the territory of Jerusalem, should include recommendations concerning the Holy Places in that territory; that with regard to the Holy Places in the rest of Palestine the Commission should call upon the political authorities of the areas concerned to give appropriate formal guarantees as to the protection of the Holy Places and access to them; and that these undertakings should be presented to the General Assembly for approval;

8. Resolves that, in view of its association with three world religions, the Jerusalem area, including the present municipality of Jerusalem plus the surrounding villages and towns, the

most eastern of which shall be Abu Dis; the most southern, Bethlehem; the most western, Ein Karim (including also the built-up area of Motsa); and the most northern, Shu'fat, should be accorded special and separate treatment from the rest of Palestine and should be placed under effective United Nations control;

Requests the Security Council to take further steps to ensure the demilitarization of Jerusalem at the earliest possible date;

Instructs the Conciliation Commission to present to the fourth regular session of the General Assembly detailed proposals for a permanent international regime for the Jerusalem area which will provide for the maximum local autonomy for distinctive groups consistent with the special international status of the Jerusalem area;

The Conciliation Commission is authorized to appoint a United Nations representative, who shall co-operate with the local authorities with respect to the interim administration of the Jerusalem area;

9. Resolves that, pending agreement on more detailed arrangements among the Governments and authorities concerned, the freest possible access to Jerusalem by road, rail or air should be accorded to all inhabitants of Palestine;

Instructs the Conciliation Commission to report immediately to the Security Council, for appropriate action by that organ, any attempt by any party to impede such access;

10. Instructs the Conciliation Commission to seek arrangements among the Governments and authorities concerned which will facilitate the economic development of the area, including arrangements for access to ports and airfields and the use of transportation and communication facilities;

11. Resolves that the refugees wishing to return to their homes and live at peace with their neighbours 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 and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible;

Instructs the Conciliation Commission to facilitate the repatriation, resettlement and economic and social rehabilitation of the refugees and the payment of compensation, and to maintain close relations with the Director of the United Nations Relief for Palestine Refugees and, through him, with the appropriate organs and agencies of the United Nations;

12. Authorizes the Conciliation Commission to appoint such subsidiary bodies and to employ such technical experts, acting under its authority, as it may find necessary for the effective discharge of its functions and responsibilities under the present resolution;

The Conciliation Commission will have its official headquarters at Jerusalem. The authorities responsible for maintaining order in Jerusalem will be responsible for taking all measures necessary to ensure the security of the Commission. The Secretary-General will provide a limited number of guards to the protection of the staff and premises of the Commission;

13. Instructs the Conciliation Commission to render progress reports periodically to the Secretary-General for transmission to the Security Council and to the Members of the United Nations;

14. Calls upon all Governments and authorities concerned to co-operate with the Conciliation Commission and to take all possible steps to assist in the implementation of the present resolution;

15. Requests the Secretary-General to provide the necessary staff and facilities and to make appropriate arrangements to provide the necessary funds required in carrying out the terms of the present resolution.

* * *

At the 186th plenary meeting on 11 December 1948, a committee of the Assembly consisting of the five States designated in paragraph 3 of the above resolution proposed that the following three States should constitute the Conciliation Commission:

France, Turkey, United States of America.

The proposal of the Committee having been adopted by the General Assembly at the same meeting, the Conciliation Commission is therefore composed of the above-mentioned three States

Annex 3: UN Resolution 242

Security Council
S/RES/242 (1967) - 22 November 1967
Resolution 242 (1967) of 22 November 1967

The Security Council,

Expressing its continuing concern with the grave situation in the Middle East,

Emphasizing the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in which every State in the area can live in security,

Emphasizing further that all Member States in their acceptance of the Charter of the United Nations have undertaken a commitment to act in accordance with Article 2 of the Charter,

1. Affirms that the fulfillment of Charter principles requires the establishment of a just and lasting peace in the Middle East which should include the application of both the following principles:

- (i) Withdrawal of Israel armed forces from territories occupied in the recent conflict;
- (ii) Termination of all claims or states of belligerency and respect for and acknowledgment of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force;
2. Affirms further the necessity
- (a) For guaranteeing freedom of navigation through international waterways in the area;
- (b) For achieving a just settlement of the refugee problem;
- (c) For guaranteeing the territorial inviolability and political independence of every State in the area, through measures including the establishment of demilitarized zones;
3. Requests the Secretary-General to designate a Special Representative to proceed to the Middle East to establish and maintain contacts with the States concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement in accordance with the provisions and principles in this resolution;
4. Requests the Secretary-General to report to the Security Council on the progress of the efforts of the Special Representative as soon as possible.

Adopted unanimously at the 1382nd meeting.

Annex 4: UN Resolution 302

General Assembly
A/RES/302 (IV) - 8 December 1949
302 (IV). Assistance to Palestine Refugees 1

The General Assembly,

Recalling its resolutions 212 (III) 2/ of 19 November 1948 and 194 (III) 3/ of 11 December 1948, affirming in particular the provisions of paragraph 11 of the latter resolutions,

Having examined with appreciation the first interim report 4/ of the United Nations Economic Survey Mission for the Middle East and the report 5/ of the Secretary-General on assistance to Palestine refugees,

1. Expresses its appreciation to the Governments which have generously responded to the appeal embodied in its resolution 212 (III), and to the appeal of the Secretary-General, to contribute in kind or in funds to the alleviation of the conditions of starvation and distress among the Palestine refugees;
2. Expresses also its gratitude to the International Committee of the Red Cross, to the League of Red Cross Societies and to the American Friends Service Committee for the contribution they

have made to this humanitarian cause by discharging, in the face of great difficulties, the responsibility they voluntarily assumed for the distribution of relief supplies and the general care of the refugees; and welcomes the assurance they have given the Secretary-General that they will continue their co-operation with the United Nations until the end of March 1950 on a mutually acceptable basis;

3. Commends the United Nations International Children's Emergency Fund for the important contribution which it has made towards the United Nations programme of assistance; and commends those specialized agencies which have rendered assistance in their respective fields, in particular the World Health Organization, the United Nations Educational, Scientific and Cultural Organization and the International Refugee Organization;

4. Expresses its thanks to the numerous religious, charitable and humanitarian organizations which have materially assisted in bringing relief to Palestine refugees;

5. Recognizes that, without prejudice to the provisions of paragraph 11 of General Assembly resolution 194 (III) of 11 December 1948, continued assistance for the relief of the Palestine refugees is necessary to prevent conditions of starvation and distress among them and to further conditions of peace and stability, and that constructive measures should be undertaken at an early date with a view to the termination of international assistance for relief;

6. Considers that, subject to the provisions of paragraph 9(d) of the present resolution, the equivalent of approximately \$33,700,000 will be required for direct relief and works programmes for the period 1 January to 31 December 1950 of which the equivalent of \$20,200,000 is required for direct relief and \$13,500,000 for works programmes; that the equivalent of approximately \$21,200,000 will be required for works programmes from 1 January to 30 June 1951, all inclusive of administrative expenses; and that direct relief should be terminated not later than 31 December 1950 unless otherwise determined by the General Assembly at its fifth regular session;

7. Establishes the United Nations Relief and Works Agency for Palestine Refugees in the Near East:

(a) To carry out in collaboration with local governments the direct relief and works programmes as recommended by the Economic Survey Mission;

(b) To consult with the interested Near Eastern Governments concerning measures to be taken by them preparatory to the time when international assistance for relief and works projects is no longer available;

8. Establishes an Advisory Commission consisting of representatives of France, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America, with

power to add not more than three additional members from contributing Governments, to advise and assist the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East in the execution of the programme; the Director and the Advisory Commission shall consult with each near Eastern Government concerned in the selection, planning and execution of projects;

9. Requests the Secretary-General to appoint the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East in consultation with the Governments represented on the Advisory Commission;

(a) The Director shall be the chief executive officer of the United Nations Relief and Works Agency for Palestine Refugees in the Near East responsible to the General Assembly for the operation of the programme;

(b) The Director shall select and appoint his staff in accordance with general arrangements made in agreement with the Secretary-General, including such of the staff rules and regulations of the United Nations as the Director and the Secretary-General shall agree are applicable, and to the extent possible utilize the facilities and assistance of the Secretary-General;

(c) The Director shall, in consultation with the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions, establish financial regulations for the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

(d) Subject to the financial regulations established pursuant to clause (c) of the present paragraph, the Director, in consultation with the Advisory Commission, shall apportion available funds between direct relief and works projects in their discretion, in the event that the estimates in paragraph 6 require revision;

10. Requests the Director to convene the Advisory Commission at the earliest practicable date for the purpose of developing plans for the organization and administration of the programme, and of adopting rules of procedure;

11. Continues the United Nations Relief for Palestine Refugees as established under General Assembly resolution 212 (III) until 1 April 1950, or until such date thereafter as the transfer referred to in paragraph 12 is affected, and requests the Secretary-General in consultation with the operating agencies to continue the endeavour to reduce the numbers of rations by progressive stages in the light of the findings and recommendations of the Economic Survey Mission;

12. Instructs the Secretary-General to transfer to the United Nations Relief and Works Agency for Palestine Refugees in the Near East the assets and liabilities of the United Nations Relief for Palestine Refugees by 1 April 1950, or at such date as may be agreed by him and the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

13. Urges all Members of the United Nations and non-members to make voluntary contributions in funds or in kind to ensure that the amount of supplies and funds required is obtained for each period of the programme as set out in paragraph 6; contributions in funds may be made in currencies other than the United States dollar in so far as the programme can be carried out in such currencies;

14. Authorizes the Secretary-General, in consultation with the Advisory Committee on Administrative and Budgetary Questions, to advance funds deemed to be available for this purpose and not exceeding \$5,000,000 from the Working Capital Fund to finance operations pursuant to the present resolution, such sum to be repaid not later than 31 December 1950 from the voluntary governmental contributions requested under paragraph 13 above;

15. Authorizes the Secretary-General, in consultation with the Advisory Committee on Administrative and Budgetary Questions, to negotiate with the International Refugee Organization for an interest-free loan in an amount not to exceed the equivalent of \$2,800,000 to finance the programme subject to mutually satisfactory conditions for repayment;

16. Authorizes the Secretary-General to continue the Special Fund established under General Assembly resolution 212 (III) and to make withdrawals therefrom for the operation of the United Nations Relief for Palestine Refugees and, upon the request of the Director, for the operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

17. Calls upon the Governments concerned to accord to the United Nations Relief and Works Agency for Palestine Refugees in the Near East the privileges, immunities, exemptions and facilities which have been granted to the United Nations Relief for Palestine Refugees, together with all other privileges, immunities, exemptions and facilities necessary for the fulfilment of its functions;

18. Urges the United Nations International Children's Emergency Fund, the International Refugee Organization, the World Health Organization, the United Nations Educational, Scientific and Cultural Organization, the Food and Agriculture Organization and other appropriate agencies and private groups and organizations, in consultation with the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to furnish assistance within the framework of the programme;

19. Requests the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East:

(a) To appoint a representative to attend the meeting of the Technical Assistance Board as observer so that the technical assistance activities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East may be co-ordinated with the technical assistance

programmes of the United Nations and specialized agencies referred to in Economic and Social Council resolution 222 (IX) A 6/ of 15 August 1949;

(b) To place at the disposal of the Technical Assistance Board full information concerning any technical assistance work which may be done by the United Nations Relief and Works Agency for Palestine Refugees in the Near East, in order that it may be included in the reports submitted by the Technical Assistance Board to the Technical Assistance committee of the Economic and Social Council;

20. Directs the United Nations Relief and Works Agency for Palestine Refugees in the Near East to consult with the United Nations Conciliation Commission for Palestine in the best interests of their respective tasks, with particular reference to paragraph 11 of General Assembly resolution 194 (III) of 11 December 1948;

21. Requests the Director to submit to the General Assembly of the United Nations an annual report on the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, including an audit of funds, and invites him to submit to the Secretary-General such other reports as the United Nations Relief and Works Agency for Palestine Refugees in the Near East may wish to bring to the attention of Members of the United Nations, or its appropriate organs;

22. Instructs the United Nations Conciliation Commission for Palestine to transmit the final report of the Economic Survey Mission, with such comments as it may wish to make, to the Secretary-General for transmission to the Members of the United Nations and to the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

Annex 5: League of Arab States Casablanca Protocol (1965)

Protocol for the Treatment of Palestinians in Arab States

on the basis of the Charter of the League of Arab States and its special annex pertaining to Palestine, and of the LAS Council resolution concerning the Palestinian issue, and, in particular, of the Special resolution pertaining to safeguarding Palestinian existence,

The Council of Foreign Ministers of Member states agreed, in its meeting in Casablanca on 10 September 1965, upon the following regulations, and called upon member states to take the necessary measures to put them into the sphere of implementation:

- (1) Whilst retaining their Palestinian nationality, Palestinians currently residing in the land ofhave the right of employment on par with its citizens.

- (2) Palestinians residing at the moment in.....in accordance with the dictates of their interests, have the right to leave and return to this state.
- (3) Palestinians residing in other Arab states have the right to enter the land of.....and to depart from it, in accordance with their interests. Their right of entry only gives them the right to stay for the permitted period and for the purpose they entered for, so long as the authorities do not agree to the country.
- (4) Palestinians who are at the moment in....., as well as those who were residing and left to the Exodus, are given, upon request, valid travel documents. The concerned authorities must, wherever they be, issue these documents or renew them without delay.
- (5) Bearers of these travel documents residing in LAS states receive the same treatment as all other LAS state citizens, regarding visa, and residency applications.

11 September 1965



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