



المنظمة الفلسطينية لحقوق الإنسان (حقوق)

Palestinian Human Rights Organization - PHRO
Member of International Federation for Human Rights (FIDH)
Member of Euro Mediterranean Human Rights Network (EMHRN)
Member of Arab Organization for Human Rights (AOHR)



Universal Periodic Review of Lebanon

23rd Session of the UPR Working Group, November 2015

Joint NGO Submission: Human Rights Violations Perpetrated Against Palestinian Refugees in Lebanon

Jointly submitted by:

The Palestinian Human Rights Organization (PHRO), Human Development Center, Association Najdeh, Norwegian People's Aid Lebanon Office (NPA), Developmental Action Without Borders (NABAA), Committee for the Employment of Palestinian Refugees in Lebanon (CEP), Resource Center for Employment Promotion and Social Protection (R-CEP), Palestinian Association for Human Rights (Witness), Women's Humanitarian Organization (PWHO), Centre for Refugee Rights / Aidoun (CRR), Women's Program Association (WPA), Mousawat Association and the Joint Christian Committee for Social Service (JCC).

Supported by:

Euro-Mediterranean Human Rights Network (EMHRN), Arab NGO Network for Development (ANND), The International Center for Transitional Justice (ICTJ) Lebanon, Geneva Institute for Human Rights (GIHR), Centre Libanais Des Droits Humains (CLDH), ABAAD Resource Center for Gender Equality, Rassemblement Democratique Des Femmes Libanaises (RDFL), Lebanese Committee of Relatives of the Missing and Kidnapped, TATWIR Strategic Studies and Human Development, Youth for Development, Fraternity Association For Social and Cultural Work, Al Jailil Development Association, Bama Zaitouna Association, Palestinian Youth Development (Entmaa), Social Support Society and Jinan University.

Contact for this submission:

Organization: Palestinian Human Rights Organization (PHRO)

Name: Ghassan Abdallah

Position: General Director

Phone No: +961 1 301 549/ +961 1 306 740/ +961 3 780 034

E-mail: phro@palhumanrights.org

ghassana@palhumanrights.org

Address: Mar Elias Camp for Palestinian Refugees

P.O.Box: 114/5004 Beirut, Lebanon



المنظمة الفلسطينية لحقوق الإنسان (حقوق)

Palestinian Human Rights Organization - PHRO

Member of International Federation for Human Rights (FIDH)

Member of Euro Mediterranean Human Rights Network (EMHRN)

Member of Arab Organization for Human Rights (AOHR)



The trained participants involved in preparing this report

Sobhie Ibrahim, Sahar Shabaytha, Amal Darwish (PHRO); Malvina Abu Ridainy, Laila Al Mousa (Association Najdeh); Nabil Al Hajj, Sulieman Al Assad (Lebanese International University); Siham Abu Sita (Basma Zautona Association); Muaz Abu Al Alaa, Ruba Rahmeh (Palestinian Syrian Not Alone Campaign); Mohammad Zaher (Al Naqaab Center for Youth Activities); Sameh Issa (Women's Program Association – Al Buss Camp); Wissam Lotfy (Popular Youth Movement - Al Badawi Camp); Mohammad Al Khatib (Fraternity Association For Social and Cultural Work); Iyad Sandeed (Al Jalil Development Association - Al Rashidieh Camp); Mahmoud Brish (Human Right Activist – Ein El Helwieh Camp).

Introduction

1. This report was prepared in collaboration with a coalition of civil society organizations (CSO) working within Palestinian Refugee (PR) communities in Lebanon. Data was collected, formulated and reviewed by members of the coalition. This coalition of CSO is active in areas of: human rights (HR); human rights of women (HRW), children and persons with disabilities (PWD); social services and health care. Through this report, the coalition aims to review the HR status of Palestinian Refugees in Lebanon (PRL). Furthermore, it seeks to play a leading role in advocating for the HR of particularly marginalized PRL.
2. The Palestinian Human Rights Organization (PHRO) organized training for PR youth activists from Lebanon and Syria, who are volunteering or working in NGOs in Palestinian communities. From September 2014 until January 2015, PHRO held a series of workshops, where participants were trained on the tools and mechanisms of international conventions, following which they created a first draft report for the Universal Periodic Review (UPR).
3. This report documents the main and dire HR violations perpetrated against PRL. It highlights the Lebanese Government's (LG) commitments toward the UPR's 2010 recommendations as well as its responsibility to fulfil its commitment to improve the HR situation of PR and fulfil its obligations under the international HR conventions it has ratified. Paragraph B of the preamble of the Lebanese Constitution identifies Lebanon as "a founding and active member of the United Nations Organization and abides by its covenants and the Universal Declaration of HR".
4. Despite having been in Lebanon for 67 years, Lebanese legislation still does not clearly define PR's legal status. PR are administratively divided into three categories: (a) Refugees registered with the Ministry of Interior and Municipalities (MIM), within the Department of Political Affairs and Refugees (DPAR) and the Relief and Works Agency for Palestine Refugees in the Near East (UNRWA); (b) Refugees Registered in the (DPAR) but not registered with UNRWA; and (c) Refugees not registered with either (Non IDs). A fourth category was added because of the Syrian Civil War which forced PR to flee from Syria to Lebanon (PRFSL).



المنظمة الفلسطينية لحقوق الإنسان (حقوق)

Palestinian Human Rights Organization - PHRO

Member of International Federation for Human Rights (FIDH)

Member of Euro Mediterranean Human Rights Network (EMHRN)

Member of Arab Organization for Human Rights (AOHR)



5. Despite the LG's stated commitment to improve the socio-economic rights of PR by amending Article 59 of Labour Law 129/2010 and Article 9 of Social Security Law 128/2010, it has not published any of the Council of Ministers' (COM) amendment decisions. Thus the implementation of these laws, remains subject to decisions by consecutive labour ministers.

In addition, the LG has attempted to improve the situation of Non IDs, while continuing to address the rights issues facing all PR; in particular their civil and political rights. HR for PR are not equally protected, hindering the full enjoyment of these rights. This is as a result of lack of civil dimension and double standards in the treatment of PR; with them being treated sometimes as foreigners and sometimes as refugees.

6. The four categories of PR suffer from many forms of discrimination under Lebanese legislation. The PR's legal status has not been clearly defined and there is no obligatory legal framework which ensures their protection. Consequently, they are subject to numerous violations of their civil and socio-economic rights. PRL suffer from (a) ambiguous legal status and absence of protection; and (b) violations of their right to work, own property, adequate housing, health, fair trial, freedom of association, opinion and expression and freedom of movement, accommodation and travel. Over the last 67 years, the ambiguous legal status and absence of protection for PRL has direly affected their wellbeing. Furthermore, numerous legal restrictions have hindered the enjoyment of their civil and socio-economic rights.
7. Despite accepting Recommendations 80(1-2-3-4-5-6-11), outlined in A/HRC/16/18 Report (17 March 2011), of the Working Group on the Universal Periodic Review of Lebanon (WGUPRL), the LG did not fulfil these recommendations and there is no tangible progress in the implementation of them. The LG has therefore failed to uphold its commitments to the Human Rights Council (HRC)ⁱ.
8. Similarly, despite claims to the contrary, the LG has failed to implement the recommendations of A/HRC/16/18 Report (17 March 2011) of the WGUPRL. The LG has made progress in implementing Recommendation 81(6) by implementing Law 164/2011 which criminalizes human trafficking. However, Recommendations 81(1-2-10-14-15-17-25-26) have still not been implemented and little progress has been made in implementing Recommendations 81(4-7-8-9-13-16-21).ⁱⁱ

9. Right to legal personality

9.1 Lack of clarity concerning the legal personality of PRL

Lebanese legislation does not provide a legal definition for the status of PR; neither referring to their rights or duties. Their status is limited by identification documents, which are issued by the MIM of the DPAR. However, the General Security (GS), which is part of the MIM, considers PR as a special category, and consequently has removed the nationality column in the special travel documents for PR. Occasionally, PR travel documents are stamped with a stamp which states "Nationality: Palestinian". Law



المنظمة الفلسطينية لحقوق الإنسان (حقوق)

Palestinian Human Rights Organization - PHRO

Member of International Federation for Human Rights (FIDH)

Member of Euro Mediterranean Human Rights Network (EMHRN)

Member of Arab Organization for Human Rights (AOHR)



296/2001 deprives PR from owning property, as they are considered as holding the nationality of a non-recognized country; making them stateless. Labour Law 129/2010 was the first law to directly refer to PR. However, this law recognizes PR as foreigners and thus severs them of their civil rights as refugees.

9.2 Unsustainable solution to the Non IDs' crisis

In 2008, the LG began issuing identification documents, which were valid for one year, and which allowed Non-IDs to move only within Lebanon. Only a few Non-IDs benefited from this. During the ninth session of the UPR (2010), Lebanon discussed its achievement in issuing identification documents for Non-IDs. However, the LG did not respond to Recommendation 84 (11). Currently, more than 5,000ⁱⁱⁱ Non-IDs remain deprived of their basic HR, including their right to health; education - in particular higher education; and work. Furthermore, it is impossible for Non-IDs to register their marriages. In addition, if one of the partners is a Non-ID, their children cannot be officially registered.

9.3 Depriving PRW in Lebanon from passing on their citizenship to their children

Lebanese legislation discriminates against women, including depriving Lebanese women from passing on their citizenship to their children. UNRWA is a UN agency and thus PR under its mandate should be treated in accordance with HR standards. However, Lebanese legislation is reflected in UNRWA's policy of depriving PRW from registering their children in their name. Consequently, PRW who are registered with UNRWA but are married to Non-IDs, are unable to register their children at all. Furthermore, unlike Lebanese women, PRW married to foreigners and registered with DPAR are deprived of the right to give free residency permits to their children. In addition, unlike PR men who are registered with DPAR, PRW cannot give their husband an annual foreign residency permit.

9.4 The LG denies PRFSL the right to secure legal status, as refugees, in Lebanon.

The LG treats PRFSL as tourists rather than as refugees. Consequently, up until August 2014, PRFSL were required to secure residency permits in compliance with legal procedures governing entrance and stay in Lebanon. However, after August 2014, the LG introduced a no stay policy specifically targeting PRFSL. As part of this policy, the LG hindered the entry of PRFSL and the renewal of their residency permits. These procedures made PRFSL' stay illegal; exposing them to the risk of arrest and prosecution. The LG does not treat PRFSL as other Syrian refugees; legitimately entitled to escape the war.



المنظمة الفلسطينية لحقوق الإنسان (حقوق)

Palestinian Human Rights Organization - PHRO
Member of International Federation for Human Rights (FIDH)
Member of Euro Mediterranean Human Rights Network (EMHRN)
Member of Arab Organization for Human Rights (AOHR)



9.5 The LG deprives new-born children of PRFSL, from being registered and securing documents.

The LG evades registering and issuing identification documents to new-borns of PRFSL. Instead of facilitating normal procedures, bearing in mind their status as refugees, the LG complicates the situation under the excuse of the expiration of the residency permit of one of the parents. This consequently deprives the new-borns from acquiring a legal personality.

9.6 The LG hinders the procedures granting citizenship to PRW married to Lebanese

Lebanese legislation is not sensitive to the rights of PRW married to Lebanese men. Even though these women are born in Lebanon, they are treated as foreigners, with legal procedures hindering them from acquiring citizenship. This is despite the fact that the 1960 amendment to Article 5 of the Lebanese Nationality Law states that "the foreign women married to a Lebanese becomes Lebanese a year after registration of the marriage in the civil registration system upon her request".

9.7 Even though in the ninth session of the UPR (2010), the LG accepted this recommendation, it did not commit to undertaking proper procedures to end all forms of discrimination against women; hereby contradicting its commitments before the international community.

9.8 Recommendation 1

The LG must issue a law clearly defining the legal status of PR; guaranteeing them their civil and socio-economic rights and the right to live in dignity.

9.9 Recommendation 2

The LG must issue official identification documents to Non-IDs, in a sustainable manner, to ensure their legal personality, dignity and equality with the rest of PRL.

9.10 Recommendation 3

The LG must remove its reservations to Article 9 of CEDAW and amend all relevant domestic legislation.

9.11 Recommendation 4

The LG should recognize the legal status of PRFSL, as refugees in Lebanon.

9.12 Recommendation 5

The LG must register and complete the issuing of identification documents for newborn PR from Syria, in response to the International Convention on the Rights of the Child, which Lebanon has ratified.

9.13 Recommendation 6



المنظمة الفلسطينية لحقوق الإنسان (حقوق)

Palestinian Human Rights Organization - PHRO
Member of International Federation for Human Rights (FIDH)
Member of Euro Mediterranean Human Rights Network (EMHRN)
Member of Arab Organization for Human Rights (AOHR)



The LG must address the situation of PRW who are married to Lebanese men and stop hindering the procedures of acquiring Lebanese nationality.

10. Right to freedom of movement, travel and residence

10.1 The isolation of the PR camps and gatherings

The refugee camps and gatherings in southern Lebanon are surrounded by barb wire and military checkpoints. Furthermore, the LG has established new checkpoints, around camps in the southern suburbs of Beirut and at the entrances to camps in the north of Lebanon. These security barriers hinder the freedom of movement of PR living inside the camps and gatherings. This places extreme psychological pressure on these refugees.

10.2 Discrimination between those holding Lebanese passports and PR travel documents; which do not conform with international standards

The LG grants PR travel documents which, unlike Lebanese passports, are not machine-readable and are not in conformity with international standards. Consequently, PR travel documents are not recognized by most countries, making it difficult for PR to acquire visas.

10.3 Discrimination by travel documents' validities for different PR categories

The travel documents which the LG grants to PR are valid for five years for PR registered with UNRWA but are only valid for one year for PR not registered with UNRWA. This limitation hinders the chances of PR, not registered with UNRWA, from being able to acquire long term visas. Consequently, it negatively affects their chances to live, work and study outside of Lebanon.

10.4 Restrictions on freedom of movement of PR, to and from camps

Security procedures limit the number of entrances to and exits from the PR camps. Army checkpoints restrict the right to freedom of movement; all of these exert high pressure on camp inhabitants, particularly when they need to register their entry and exit. Inhabitants are forced to wait for a long time, thus hindering their mobility and reaching work on time. Furthermore, these restrictions place people's lives at risk during times of internal military tension or clashes.

10.5 Restrictions on freedom of movement of PRFSL

Since the Syrian Civil War began, the LG has implemented numerous measures, inhibiting the refuge of PRFSL. These measures include tactics aimed at humiliating, intimidating and degrading the human dignity of PRFSL; physical and verbal violence; refoulement; not preserving the family unit by only allowing some members to enter. The announcement made by the MIM (31/12/2014), ignores the suffering of PRFSL by not



المنظمة الفلسطينية لحقوق الإنسان (حقوق)

Palestinian Human Rights Organization - PHRO
Member of International Federation for Human Rights (FIDH)
Member of Euro Mediterranean Human Rights Network (EMHRN)
Member of Arab Organization for Human Rights (AOHR)



recognizing them as refugees, and leaving them subject to the mood of border control personnel.

10.6 Discrimination against PRW in Lebanon married to PRFSL

The regulatory measures stipulated in the MIM declaration (31/12/2014) discriminates between PRW and PR men married to PRFSL. These measures do not grant PRW in Lebanon, married to PRFSL, the right to family unity by allowing their husbands and children, who are in Syria, to enter Lebanon. However, PR men registered in Lebanon are not able to bring their wives and children across from Syria.

10.7 Exile and deportation of PRFSL back to a country of civil war

On the 4/5/2014, 49 refugees, mostly PRFSL, were arrested in Rafik Al Hariri Airport and refouled to Syria; where they were at significant risk from the war.

10.8 Preventing PRFSL who lost their identification documents from entering Lebanon

The LG failed to develop regulations concerning PRFSL, who lost their identification documents because of the war; instead the LG prevented them from entering Lebanon and exiled those who entered illegally.

10.9 The LG is violating PRFSL's right to freedom of movement through absence of protection and inhuman and degrading treatment at the Lebanese army checkpoints

PRFSL are being subject to verbal and physical violence and arbitrary detention at checkpoints of LG agencies, by some political parties and even individuals, these atrocities are taking place in particular in areas where municipalities have issued night time curfews for refugees. PRFSL are also exposed to insults and arbitrary detention at the Lebanese Army checkpoints at camp entrances.

10.10 Despite accepting Recommendation 80(16-17-29), the LG failed to undertake any measures to prevent torture and mistreatment by creating mechanisms incriminating these actions that are against the recommendations that Lebanon supported in front of the international community.

10.11 Recommendation 7:

Replace futile security measures isolating the camps with new measures based on a human security approach.

10.12 Recommendation 8:

Issue machine-readable travel documents for PR in compliance with international standards for travel documents.

10.13 Recommendation 9:

The LG must issue Identification Documents for Non-ID PR in a sustainable manner.



المنظمة الفلسطينية لحقوق الإنسان (حقوق)

Palestinian Human Rights Organization - PHRO
Member of International Federation for Human Rights (FIDH)
Member of Euro Mediterranean Human Rights Network (EMHRN)
Member of Arab Organization for Human Rights (AOHR)



10.14 Recommendation 10:

The LG must treat all PR equally with no difference between those who are not registered with UNRWA (NR) and those registered with the MIM.

10.15 Recommendation 11:

Protect PRFSL from discrimination, humiliation, degrading treatment and arbitrary detention.

10.16 Recommendation 12:

The LG must not deport or exile PRFSL.

10.17 Recommendation 13

The LG must uphold the right of PRFSL to seek asylum in Lebanon without imposing any restrictions.

11. Right to work

11.1 The LG is creating obstacles that prevent PR from accessing the labour market

Lebanese Labour Law distinguishes between Lebanese and non-Lebanese. This Law does not regularise the status of PRL. Consequently, they remain subject to legal provisions regulating the work of foreigners; despite having been refugees in Lebanon for 67 years. The amendment to Article 59 of Labour Law 129/2010, exempted PRL from the reciprocity principle and work permit fees. However, the requirement of work permits, which need to be annually renewed increases the difficulty in PR accessing work. It is important to highlight, that Recommendation 84(10) of the ninth session of UPR (2010), urged the LG to adopt measures to improve the working situation and conditions of PRL. However, Lebanon failed to respond to this recommendation.

11.2 Depriving PR of working in “Liberal professions”

PR are deprived from working in so-called “Liberal professions”, which require syndicate affiliation, due to legal regulations. Some of these professions require Lebanese nationality. For example, Bar Association Law No. 8/70 mentions that anyone who wants to work as a lawyer in Lebanon must have acquired Lebanese citizenship at least ten years previously. In other syndicates and unions, laws impose reciprocity and the right to practice the profession in one’s own country, such as the Syndicate of Doctors that applies (COM Decree No. 1659 of 1979). The same laws apply for the Syndicate of Pharmacists and Engineers. Despite Labour Law Amendment 129/2010, the amendment did not reflect itself in the syndicates’ by-laws. Consequently, PR continue to be deprived of syndicate affiliation and prevented from practicing these professions.

11.3 Depriving PR workers from benefiting from social security services

Article 9 of Social Security Law 128/2010 was amended, cancelling the condition of reciprocity. However, the current law still deprives PR workers from social security



المنظمة الفلسطينية لحقوق الإنسان (حقوق)

Palestinian Human Rights Organization - PHRO
Member of International Federation for Human Rights (FIDH)
Member of Euro Mediterranean Human Rights Network (EMHRN)
Member of Arab Organization for Human Rights (AOHR)



services and familial benefits; including maternity benefits, which negatively affects working PRW. Despite the Social Security Law stating that every worker is subject to the payment of all fees (23.5% of the value of salary)^{iv}, PR do not benefit except from the end of service indemnity (equivalent to only 8.5% of the paid value)^v. Consequently, PR are forced to pay for private health insurance, which places an additional financial burden on them and their employers. This reduces the willingness of employers to hire PR. As a result, many PR workers are forced to accept harsh working conditions, low wages and no legal protection.

11.4 In 2010, the LG approved Recommendation 80(25-32) of the ninth session of the UPR. However, Lebanese labour and social security legislation continues to discriminate against refugee women and PR.

11.5 Recommendation 14:
Amend Law 129/2010 in terms of terminating the working permits and granting PR the right to practice so-called “Liberal professions”, and issue COM decrees to ensure implementation of the law.

11.6 Recommendation 15:
Amend laws and by-laws that regulate syndicate professions to be in harmony with labour law and in terms of completing abolition of reciprocity as well as abolish conditions for practicing the profession in the country of origin.

11.7 Recommendation 16:
Amend Law 128/2010, so as to allow PR workers to enjoy their full rights in social security, and guaranteeing maternity benefits to employed PRW and issue COM decrees to ensure implementation of the law.

12. Right to own property

12.1 Depriving PR of owning real estate

Under the pretext of naturalization, Law 296/2001 deprives PR from owning property, because they do not have a recognized nationality.

12.2 Expropriation of the property of PR who owned property prior to 2001 but did not register their properties the relevant departments

Properties that were purchased by surveyed sales contracts and paid off, but owners did not complete registration entirely before the amendment of Law 296/2001 (which does not contain retroactive effect) to obtain title deeds, became unable to register at the Directorate of Cadastre and Real Estate. This deliberate misinterpretation of the law exposes owners to risk, as surveyed sale contracts have a limited (customary) duration of ten years. The transfer of inherited real estate, acquired through religious courts orders, to PR inheritors is being obstructed by Lebanese Directorate of Cadastre and Real Estate, despite the fact that Law 296/2001 does not place any restrictions on the



المنظمة الفلسطينية لحقوق الإنسان (حقوق)

Palestinian Human Rights Organization - PHRO
Member of International Federation for Human Rights (FIDH)
Member of Euro Mediterranean Human Rights Network (EMHRN)
Member of Arab Organization for Human Rights (AOHR)



transfer of inherited real estate. This obstruction forces some affected persons to resort to judicial measures, which poses additional financial burdens. It is worth mentioning that since 2014, the Lebanese notary has rejected such cases.

12.3 Restrictive procedures in registering property for foreigners married to PR women

For foreigners, the real estate registration procedures require the possession of a “statement of non-ownership“. This procedure considers the family as a unit (husband, wife, and children under 18). If the wife is a PR, the registration will be shelved.

12.4 Recommendation 17:

The LG must end discrimination against PR by amending Law 296/2001 to allow PR to own real estate.

12.5 Recommendation 18:

The LG must desist from arbitrary actions that prevent the registration of property purchased before the amendment of Law 296/2010, and remove barriers to transferring the ownership of inherited real-estate, and end time limitation for surveyed sale contracts.

12.6 Recommendation 19:

Desist from discriminatory actions which hinder foreigners married to PRW from owning property.

13. Right to adequate housing and shelter

13.1 Depriving PR from adequate housing

PR living in the camps suffer from poor housing conditions owing to overpopulation and overcrowding, since the camp areas have not expanded since 1950^{vi}. Haphazard, vertically expanding buildings are closely constructed allowing little sunlight to enter the camps. The camps are poorly ventilated; resulting in high levels of humidity indoors. The narrow alley structure, the non-existence of public recreational and green areas and the deterioration of infrastructure has led to a breakdown in the camps' social and security environment. Furthermore, this environment fosters the spread of diseases, escalation of social problems, humiliation of human dignity and the violation of family privacy.

13.2 Restrictions on entry of construction materials, tools and sanitation supplies to the camps

The LG primarily deals with PR as a security concern; under seeing the security of the camps, through preventing the entry of building materials for the camps' sewage systems without Army Intelligence permission. These procedures hinder, if not prevent, PR from repairing their houses. These houses are in danger of collapsing, leading to loss of lives and finances. Furthermore, these procedures prevent PR from making improvements to the camps' infrastructure. Consequently, the camps lack the facilities and living conditions essential for maintaining human dignity. Furthermore, the lack of support from



المنظمة الفلسطينية لحقوق الإنسان (حقوق)

Palestinian Human Rights Organization - PHRO
Member of International Federation for Human Rights (FIDH)
Member of Euro Mediterranean Human Rights Network (EMHRN)
Member of Arab Organization for Human Rights (AOHR)



neighbouring municipalities has led to deterioration in the provision of water and sanitation services and electricity.

13.3 Incomplete reconstruction of Nahr Al-Bared camp and its consequences

Eight years since the destruction of Nahr Al-Bared Camp and the displacement of 4867^{vii} Palestinian families, despite the promises of rebuilding and the right to return for residents, the reconstruction of the Camp is still not complete. Although 1321^{viii} residents' shelters have been constructed most residents still live under devastating conditions in temporary container homes, where they experience freezing temperatures in winter and high temperatures in summer.

13.4 Depriving PRFSL from shelter

The LG does not recognize PRFSL as legitimate refugees. Most PRFSL are settling in random gatherings without protection. Consequently, they are vulnerable to municipal policies, the mood of land owners and racist behaviour of some residents. Others are living in overcrowded Palestinian camps, with deteriorating infrastructure. The absence of procedural justice mechanism in the camps increases risk of abuse.

13.5 Recommendation 20

In keeping with its commitments, the LG must develop a plan to fulfil the right of PR to adequate housing inside the camps

13.6 Recommendation 21

The LG must end restrictions on entry of construction materials into the PR camps, with clearly announced procedures, so as to enable PR to renovate and rebuild their houses and the camps' infrastructure.

13.7 Recommendation 22

The LG must accelerate its efforts in reconstructing Nahr Al – Bared Camp and ensure the return of camp residents.

13.8 Recommendation 23

The LG must work on providing legal protection and secure shelter that maintains PRFSL's human dignity

14. Right to health

14.1 Depriving PR from services provided by the Ministry of Public Health

The LG deprives PR from accessing services provided by the Ministry of Public Health, hereby, abdicating its responsibility as a host country. The services they are deprived of include free hospitalization, provision of chronic medication and emergency health care.

14.2 Depriving PR with disabilities of their rights



المنظمة الفلسطينية لحقوق الإنسان (حقوق)

Palestinian Human Rights Organization - PHRO
Member of International Federation for Human Rights (FIDH)
Member of Euro Mediterranean Human Rights Network (EMHRN)
Member of Arab Organization for Human Rights (AOHR)



PR with disabilities do not enjoy the same rights as Lebanese PWD. This unequal and discriminatory treatment is not in keeping with Law 220/2000 which refers to “disabled person” and hereby does not exclusively grant rights to Lebanese PWD.

14.3 Depriving PR from a healthy environment

PR camps are characterised by poor and inadequate infrastructure; with drinking water often contaminated by sewage. High humidity, leaking and poorly ventilated homes, and waste collection points close to homes create an unhealthy environment. This, in addition to unsustainable provision of aid, results in poor health including serious thoracic and chronic diseases.

14.4 In 2010, the LG accepted UPR Recommendations 80(1-2-3-4-5), but did not ratify ICRPD. Although Lebanon also accepted Recommendation 80(21) State mechanisms continue to discriminate against and deprive PR with disabilities of their rights.

14.5 Recommendation 24

The LG must allow PR to enjoy free health services and hospitalization provided by the Ministry of Public Health

14.6 Recommendation 25

Law 220/2000 must be amended and disability cards should be issued to PR with disabilities; as they are issued to Lebanese PWD.

14.7 Recommendation 26

Control epidemics and chronic diseases and improve the environment of Palestinian camps and gathering in Lebanon

15. Right to fair trial

15.1 Depriving PR from the minimum conditions of fair trial

The LG does not differentiate by type of crime, and deals with PR through intelligence security measures during, arrest and prosecution. Despite the due process of law in Lebanon, in which informants and suspicion leads to arrest by the intelligence security agency contrary to regulations, instead of conducting investigations and calling-in, they treat the suspect as guilty until proven innocent. Hereby, they arbitrarily deprive the PR detainee of his/her freedom and prevent him/ her from communicating with the outside world. It is important to mention that assault, coercion and intimidation tactics are used during interrogation in-combination failing to ensure facilitation to adequate legal defence. After being interrogated in a security intelligence branch the suspect will be transferred to the competent authority. As for the duration of detention without trial, the LG does not respect the legal time frame. An example of this is how since 2007, Lebanese authorities are still detaining some Nahr Al-Bared residents under arbitrary detention without fair trial.



المنظمة الفلسطينية لحقوق الإنسان (حقوق)

Palestinian Human Rights Organization - PHRO
Member of International Federation for Human Rights (FIDH)
Member of Euro Mediterranean Human Rights Network (EMHRN)
Member of Arab Organization for Human Rights (AOHR)



15.2 The exile of PR from Syria without a fair trial

In disregard of all international norms, humanitarian laws, and in violation of agreed upon conventions, the GS arrested 49^{ix} refugees from Syria, at Rafik Hariri International Airport in Beirut on Saturday 3/5/2014. Most of these refugees were Palestinians, among them women and children, who were using fake visas in an attempt to flee from Syria. After being referred to the Public Prosecution Discriminatory, GS referred the refugees to the relevant court. The LG is entitled to arrest anyone carrying a fake visa. However, this does not apply to asylum seekers, as they are not required under International Refugee Law to carry correct documentation. Despite it being weekend, within 24 hours of arrest the detainees were referred to the Public Prosecution and exiled to Syria. This deviates from normal procedures, since the transfer of detainees to a detention centre should hold until Monday, so they can be brought before a public prosecutor, who can refer them to an investigating judge and then to the court for a fair trial. This, however, did not occur with the detained group.

It is near impossible to fully investigate a situation in such a short time. Furthermore, even if the visas were fake the refugees could have been victims of a scam. This possibility should have been fully investigated to determine the real perpetrator of fraud, instead of punishing the victims.

15.3 In the 2010 UPR session, the LG accepted Recommendations 80(13-14-15-16-17), concerning the prevention of all forms of torture, cruel, inhuman and degrading treatment as outlined in CAT. Although, the LG claims that Recommendation 81(4) has been implemented, the procedures against PR continue to violate due process of law.

15.4 Recommendation 27:

The LG must end all inhumane treatment of PR by intelligence and security services and must respect the due process of law.

15.5 Recommendation 28:

Accelerate the trial process of the Nahr Al-Bared detainees; and ensure they undergo a fair trial and that innocent detainees are released and compensated.

15.6 Recommendation 29:

Stop the refoulement of PRFSL, and in case of any legal violation they commit; ensure their right to fair trial and due process of law is respected.

16. Right to protection

16.1 Barriers to women's access to justice

Law 293/2014 ensures protection for women from domestic violence. However, procedural justice is weak in Lebanon and is absent from the camps, where unqualified Popular and Security Committees govern according to laws not sensitive to IHRL and the HRW. Since the termination of the Cairo Agreement, no official agreements exist



المنظمة الفلسطينية لحقوق الإنسان (حقوق)

Palestinian Human Rights Organization - PHRO

Member of International Federation for Human Rights (FIDH)

Member of Euro Mediterranean Human Rights Network (EMHRN)

Member of Arab Organization for Human Rights (AOHR)



between Palestinian communities and the LG. Norms and traditions regulating and controlling these communities hinder PRW from accessing justice; hereby depriving them of protection and full enjoyment of their HR.

16.2 Early marriages and sexual abuse

Through absence of a unified Personal Status Law, Lebanese legislation upholds Lebanese sectarianism. Furthermore, by not specifying a minimum age for marriage, Lebanese legislation fails to protect children from early marriage and childbearing. Early marriage places girls and their children at risk of poor physical and psychological health, and sometimes even death. Underage girls are subject to religious Personal Status Law which discriminates against, and grants insufficient protection to women. Comparatively, underage girls who marry outside the religious courts lack any protection. This is particularly a problem for refugee women. These women suffer from extreme poverty and the absence of state provided shelter. They also live in the fear of being raped if exiled to Syria. The LG has not provided them with refuge or protection, which is particularly problematic for refugee women and children, who are at increased risk of sexual abuse and exploitation.

16.3 The involvement of PR children in armed conflict

PR children in Lebanon are recruited for armed conflict by Palestinian and Lebanese groups; including radical extremists. Military unrest inside and outside Lebanon has exacerbated this phenomenon, as well as the increase in the number of PRFSL. PRFSL children's lack protection and poor socio-economic situation makes them vulnerable to recruitment and abuse. Furthermore, lack of public awareness on this issue and the absence of human security and legal protection for these children has aggravated this phenomenon.

16.4 Human trafficking: Particularly pertaining to women and children

Law 164/2011 criminalizes human trafficking. While limiting the responsibility of victims as stated by Article 586 (8) "shall be exempted from punishment victim who proves that he was forced to commit crime punished by law or against the conditions of residence or work", the law fails to protect victims from penal responsibility; hereby violating international standards of treatment for trafficking victims. The absence of a human security approach; the lack of legal protection for PR; the no stay policy employed by the LG against PRFSL (through its arbitrary procedures); and the exploitation of refugees' vulnerability, has contributed to the emergence of new patterns of trafficking and exploitation of women and children. These forms of exploitation include (a) forcing women and children to work long hours without payment in receipt of shelter; (b) providing payments or benefits to persons in control of PRFSL who exploit these refugees through begging, prostitution or domestic work - in practices similar to slavery.



المنظمة الفلسطينية لحقوق الإنسان (حقوق)

Palestinian Human Rights Organization - PHRO
Member of International Federation for Human Rights (FIDH)
Member of Euro Mediterranean Human Rights Network (EMHRN)
Member of Arab Organization for Human Rights (AOHR)



16.5 Death march

PRL, and more recently PRFSL, have been subject to crimes against humanity. There is a concern that crimes of extermination are being perpetrated against them. In addition, they are being exposed to the worst forms of exploitation and trafficking by fraudulent displacement brokers. Displacement brokers subject them to inhuman treatment and risk of death by natural disaster during their death march over land and sea, in search of asylum in safe countries. In addition, many traffickers and smugglers intend to kill the refugees through deserting them in deserts or boats or sometimes by shooting them. Sometimes refugees even fall victim to organ trafficking. The carelessness of coast guards has aggravated the situation as they have failed in fulfilling their responsibility to (a) protect the borders against smugglers; and (b) rescue victims (September 15, 2014^x dated October 22, 2013^{xi} dated September 11, 2012^{xii}).

16.6 In the 2010 UPR the LG accepted Recommendations 80(18-19-20), and voiced its commitment to issue Law 164/2011. In addition, the LG has claimed that Recommendations 81(8-6) has been implemented and there is a significant improvement in this domain. However, the LG has failed to implement Recommendations 81(7-13); in violation of its promises to the international community.

16.7 Recommendation 30:

The LG must strengthen and expand the Lebanese State's procedural justice mechanisms to include the camps; hereby providing State protection for PRW.

16.8 Recommendation 31:

The LG must define a minimum age for marriage and provide special protection for children; adjusting protection and guidance measures to inhibit the deterioration of the health and psychological status and child mortality amongst these children.

16.9 Recommendation 32:

The LG must criminalize early marriages outside the religious courts, prosecute those responsible for these marriages and implement measures to protect underage PRW from Syria, from early marriage.

16.10 Recommendation 33:

The LG must undertake comprehensive legal measures to prevent, prohibit and criminalize the abuse and recruitment of PR children for involvement in military activities inside and outside Lebanon.

16.11 Recommendation 34:

The LG must provide protection, care and rehabilitation for PR child recruits and must develop mechanisms and procedures to ensure their integration into society and protection from trial before military court.

16.12 Recommendation 35:



المنظمة الفلسطينية لحقوق الإنسان (حقوق)

Palestinian Human Rights Organization - PHRO
Member of International Federation for Human Rights (FIDH)
Member of Euro Mediterranean Human Rights Network (EMHRN)
Member of Arab Organization for Human Rights (AOHR)



The LG must amend Law 164/2011 to ensure protection without discrimination for all categories of PR who fall victim to human trafficking; with particular attention to women and children. Furthermore, the LG must amend the law to remove penal responsibility for trafficking victims.

16.13 Recommendation 36:

Investigate all crimes related to the 'Death March', dealing with them as crimes against humanity and investigate concerns about PR genocide.

16.14 Recommendation 37:

Motivate and accelerate international collaboration in combating all forms of human trafficking, and train coast guards in rescuing, dealing with and protecting trafficking victims.

17. Right to freedom of opinion and expression

17.1 Restricted freedom of expression through restricting participation in demonstrations to Lebanese citizens and prohibiting participation of PR.

MIM Decree 352 of 20/2/2006 restricts PR's right to self-expression by limiting organization of demonstrations to Lebanese and denying Palestinians, including PRFSL, this right. Article (1) para3 states "... the organizers of the demonstration have to be Lebanese...".

17.2 Depriving PR of the right to publish leaflets

PR are deprived of the right to officially publish informational leaflets according to Article 4 of the Publications Law of 1948 that requires "the owner of the periodic printed" (1) to be Lebanese. If a foreigner, clearance should be approved by foreign and interior ministers and reciprocity between Lebanon and the state to which the foreigner belongs.

17.3 Recommendation 38:

Pass a resolution allowing PR to express their opinion through demonstrations and peaceful assembly

17.4 Recommendation 39:

Amend the Publications Law to allow PR to produce informational leaflets

18. Right to freedom of association

18.1 Depriving PRL from the right to form associations and restricting their participation in associations.

PR are either classified under 'special categories' or as foreigners. They are deprived of the right to form, and restricted from their right to participate in, associations. Foreign Associations must either be run by foreigners; have members of the foreign administration; or at least a quarter of the members must be foreigners. Foreign



المنظمة الفلسطينية لحقوق الإنسان (حقوق)

Palestinian Human Rights Organization - PHRO
Member of International Federation for Human Rights (FIDH)
Member of Euro Mediterranean Human Rights Network (EMHRN)
Member of Arab Organization for Human Rights (AOHR)



Associations are subject to Article 3 of Resolution No. 369 of 21/12/1939. COM is also required to create a special decree.

18.2 Recommendation 40:

Legalizing the establishment of associations for PRL, hereby contributing to developing Palestinian institutions and democratizing existing Palestinian societies.

ⁱ <https://www1.umn.edu/humanrts/arabic/AR-HRC/AHRC16-58.pdf>

ⁱⁱ <https://www1.umn.edu/humanrts/arabic/AR-HRC/AHRC16-58.pdf>

ⁱⁱⁱ <http://www.palhumanrights.org/rep/ARB/non-id-report-ar.pdf>

^{iv} <http://www.lpdc.gov.lb/Networks/UNRWA.aspx?lang=ar-lb>

مع الإشارة الى ان هذه الاشتراكات يتم تحديدها بموجب مراسيم تصدر عن الحكومة. والارقام الواردة اعلاه، هي تلك التي تم تحديدها بموجب المرسوم رقم تاريخ 24 آذار 2001 الخاص بتعويضات المرض والامومة 51025101 تاريخ 24 آذار 2001 الخاص بالتعويضات العائلية. والرسوم رقم

^v <http://www.lpdc.gov.lb/getattachment/Rights/Areas-of-Work/Right-To-Work/Round-table,-a-photo-exhibition,-and-a-concert-by-/%D9%85%D8%B0%D9%83%D8%B1%D8%A9-%D8%A7%D8%B9%D9%84%D8%A7%D9%85%D9%8A%D8%A9--%D8%B1%D9%82%D9%85-437--%D8%B9%D8%A7%D9%85-2011.pdf.aspx>

^{vi} <http://www.unrwa.org/palestine-refugees>

^{vii} <http://www.unrwa.org/where-we-work/lebanon/camp-profiles?field=15> Reconstruction

^{viii} <http://www.unrwa.org/where-we-work/lebanon/camp-profiles?field=15> Reconstruction

^{ix} <http://palhumanrights.org/Position%20Paper.pdf>

^x <http://mashable.com/2014/09/15/500-migrant-workers-feared-dead/>

^{xi} <http://www.al-monitor.com/pulse/originals/2013/10/palestine-migrants-syria-sinking-malta-resentment-plo.html>

^{xii} <http://www.salem-news.com/articles/september112012/little-girl-green-rb.php>

Acronyms

CAT: Conventions against Torture

CEDAW: Elimination of All Forms of Discrimination against Women

COM: Council of Ministers



المنظمة الفلسطينية لحقوق الإنسان (حقوق)

Palestinian Human Rights Organization - PHRO
Member of International Federation for Human Rights (FIDH)
Member of Euro Mediterranean Human Rights Network (EMHRN)
Member of Arab Organization for Human Rights (AOHR)



DPAR: Department of Political Affairs and Refugees

HR: Human Rights

HRC: Human Rights Council

HRW: Human Rights of Women

ICRPD: International Convention on the Rights of Persons with Disabilities

IHRL: International Human Rights Law

IRL: International Refugee Law

PR: Palestinian Refugees

PRL: Palestinian Refugees in Lebanon

PRW: Palestinian Refugee Women

PWD: Persons with Disabilities

LG: Lebanese Government

MIM: The Ministry of Interior and Municipalities -

PRFSL: Palestinian Refugees force to flee from Syria to Lebanon

NON-IDs: refugees not registered in Department of Political Affairs and UNRWA

GS: General Security

UPR: Universal Periodic Review

WGUPRL: Working Group on the Universal Periodic Review of Lebanon