

**Flygtningenævnets baggrundsmateriale**

<b>Bilagsnr.:</b>	<b>689</b>
Land:	Libanon
Kilde:	Palestinian Human Rights Organization, Human Development Center og Palestinian Association for Human Rights (Witness).
Titel:	Submission
Udgivet:	22. november 2020
Optaget på baggrundsmaterialet:	3. maj 2021

## Introduction

1. This report was prepared in collaboration with Human Rights partner organizations, and aims to review the human rights status of Palestinian Refugees in Lebanon (PRL). Furthermore, it is intended in advocating for the human rights of particularly marginalized PRL. This report documents the main and dire human rights violations perpetrated against PRL. It highlights the Lebanese Government's commitments toward the Universal Periodic Review (UPR) recommendations of 2010 and 2015, as well as its responsibility to fulfil its commitment to improve the human rights situation of Palestinian Refugees (PR) based on its national human rights plan and the governments obligations toward the international human rights conventions that been ratified. Moreover, this report comes in light of the profound political and economic crises and the pandemic COVID-19 and its repercussions on rights and freedoms, where it reveals the extent to which persistent discrimination against refugees is rooted even in times of a pandemic. These violations can only be corrected with a fundamental change in the inequitable laws. It is worth mentioning that: 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 Human Rights"; and article 2 of the code of civil proceedings says, "In the case of a conflict between national and international law, the latter shall prevail".
2. Despite having been in Lebanon for 72 years, Lebanese legislation still does not clearly define Palestinian Refugees' legal status. Even-though the Lebanese Palestinian Dialogue Committee, created by the Council of Ministers Presidency, issued after two years of negotiations with the seven major Lebanese political parties – who are strongly represented in the Parliament and the government – a document entitled "A Unified Lebanese Vision For the PR Affairs In Lebanon"<sup>1</sup>, which contained recommendations on a legal definition of the refugees status and resettlement "Tawte'en", and how to improve their situation. PR were administratively divided into three categories<sup>2</sup>, a fourth category was added because of the Syrian Civil War which forced Palestinian Refugees flee from Syria to Lebanon (PRS). The four categories of PR suffer from many forms of human rights violations. They are subjected to deprivation and discrimination in laws and procedures that keep them outside any framework that protects them and allows them to enjoy their full human rights, including those that Lebanon recently endorsed as an improvement to their conditions. Lebanon deals with the PR as a political/security file handled by security agencies, lacking any civil dimension. They also use double standards; sometimes they are considered as refugees, other times as foreigners or stateless
3. Between 2010 and 2016, Lebanon has been stalling in responding to pressures demanding the improvement of PR situation, by start issuing biometric traveling documents in 2016. Two amendments were made to Article 59 of Labor Law 129/2010, and Article 9 of the Social Security law 128/2010, but the amendments did not take into consideration the PR where they are still dealt with as foreigners. The Council of Ministers (CoM) has not issued any implementing decrees for the amendments, thus the implementation of these laws remains subject to the mood of the consecutive labour ministers and their political backgrounds. One example was in 2019, during the implementation of the former Labor Minister plan, Camille Abu Suleiman, to regulate illegal foreign workers, which had a negative impact on PR employment in terms of expelling some and spreading fear among others about losing their work, which sparked a wave of popular Palestinian protests in the camps. It was followed on October 17, 2019 by a Lebanese uprising that attracted Palestinian activists united by common demands and the poor economic conditions experienced exponentially by the refugees, where they are excluded from the facilities provided by the state.
4. Benefiting from shrinking space status are currently prevail in the region<sup>3</sup>, Lebanon increased restrictions on rights in favor of the "no stay policy", supported by parties from the right and the extreme right with a sectarian dimension that targets refugees in general and the Palestinians particularly. Lebanon, which classifies itself as a transit country and not a refuge one,

succeeded again in reducing the Palestinian refugees' numbers between the past and current periodic review sessions. The "General Census of Population and Housing in Palestinian Communities and Camps in Lebanon"<sup>4</sup> led by the Lebanese Palestinian Dialogue Committee showed that the number of PR living in Lebanon are 174,422 up to the end of 2017, while a study launched by the American University in cooperation with UNRWA in 2015-2016<sup>5</sup>, estimated the number of PR living in Lebanon between 260,000 – 280,000. The Lebanese Palestinian Dialogue Committee also showed that the number of PR from Syria decreased to 18,000 from 50,000 in 2015-2016. The numbers are constantly declining, and the biggest beneficiaries are the human traffickers, while the victims are the refugees themselves.

5. In between the two UPRs, the harsh hate speech was rudely raised by politicians, journalists and intellectuals who boasted on TV and social media, by being selective and using double standards in dealing with events related to PR. One example is the negativity and the absence of objectivity in covering the protest against the implementation of the Ministry of Labor's plan in comparison to the exaggerated coverage of the movements against the 'deal of the century'; the song "Ain El-Hilweh Wall"<sup>6</sup>, which caused an provoked scene for its hatred and racism as well as the profanity against the PR and all those who sympathize with them; .The famous racist tweet of former Lebanese Foreign Minister Gibran Bassil via Twitter, said "*This land, which has yielded prophets and saints, neither refugees nor displaced or corrupt will replace us*". Basil and his political party insist on refusing to grant Lebanese women the right to give her citizenship to her family, unless those who are married to Syrians or PR are excluded, emphasizing discrimination among Lebanese women. The most racist caricature recently published in Aljournhouria newspaper on April 14, 2020 and removed later on from its website without any apology, in the midst of the Corona pandemic, depicts the Palestinian as more dangerous than the Corona virus.
6. This report highlights numerous human rights violations that PR are suffering from: Right to legal personality; Right to freedom of movement, travel and residence; Right to work; Right to own property; Right to adequate housing and shelter; Right to health; Right to protection and fair trial; Right to freedom of opinion and expression and freedom of association. These continuous violations over 72 years have affected negatively their civil, economic, social and mental health, contradicting the international bill of human rights and international humanitarian law.
7. The PR- as a marginalized, vulnerable group living permanent exclusion - are affected by the financial and economic crisis in Lebanon, in addition to COVID-19 pandemic and its repercussions. We fear that Lebanon will exploit the COVID-19 pandemic and the internal economic crisis as well as the regional/international political developments (the deal of the century), to evade again the fulfillment of its obligations towards the human rights of PR and prolong their suffering, just as they avoid the implementation of the recommendations agreed upon in the 9/2010 UPR session and take advantage of the presence of hundreds of thousands Syrian Refugees in Lebanon as an excuse as they did in the 23/2015 UPR session. Discrimination against PR can be resolved by one simple and clear legal text that equates them with Lebanese citizens in rights and duties except for the issue of nationality and public nominations and elections; what is described in Lebanon as "sovereign positions". This does not affect what Lebanon considers to be a breach of sectarian balance and/or settlement.
8. Lebanon settled with taking note or mention of all recommendations related to the refugees in the report of the UPR Working Group of Lebanon A/HRC/DEC/31/102 on April 6, 2016, especially recommendations<sup>7</sup> related to Palestinian refugees. Lebanon had accepted recommendations related to PR in the 9/2010 UPR session, and therefore using the phrase "well noted" doesn't cancel their obligations to what has already been accepted before<sup>8</sup>. Lebanon claimed that there are recommendations in process of being implemented<sup>9</sup> but in reality, did not make any significant progress.
9. **Right to legal personality**
  - 9.1 **Lack of clarity concerning the legal personality of PRL**

The Lebanese legislator (as of the date of this report) does not provide a legal definition for the status of Palestinian Refugees, or any reference to their rights or duties. Lebanon is merely content with registering them and issuing manual ID cards, through the Ministry of Interior and Municipalities / General Directorate for Political Affairs and Refugees (MIM of the DPAR), where the Lebanese General Security (LGS), which is part of the MIM, considers Palestinian Refugees' as a special category. In 2016 they started issuing biometric travel documents (as a response of prerequisite and lobbying/pressure campaigns) after the manual written passports were not acceptable anymore. PR were described in Law 296/2001, which deprived them from the right to own property, as stateless without mentioning them directly. For the first time, the PR was mentioned in legislation it was in the amendment of Labor Law 129/2010 and Social Security Law 128/2010, but they dealt with them as foreigners which fragmented their civil rights as Refugees.

## **9.2 Lack of sustainable solution to the Non IDs' legal personality**

In 2008, Lebanon began issuing identification documents, which were valid for one year, and which allowed Non-IDs to move only within Lebanon, for around 5000 Refugees<sup>10</sup>. While these ID's are given based on mood of immigration officer and without any clear criteria, Lebanon considered it as one of its accomplishments during the 9/2010 UPR session, bearing in mind Lebanon ignored responding to a related recommendation 84 (11). In 23/2015 UPR session there was no recommendation related to them. They remain deprived of their basic HR, including their right to health especially hospitalization; education - in particular higher education; work; Marriage, and consequently their children, cannot be officially registered, which led some of them to resort to human traffickers seeking other countries in searching of a better life

## **9.3 The Lebanese State doesn't recognize the legal personality of Palestinian Refugees from Syria (PRS) as Refugees**

The Lebanese State didn't recognize the PRS as Refugees fleeing from a risky country, and treated them as foreigners who must meet and secure the residency conditions in Lebanon. Non stay policy imposed against them through arbitrariness and changeable moods in renewal of their residency permits and in entry procedure, which has made their residency illegal and subject to prosecution especially those who entered after January 1, 2015. The identification documents of few of them was impounded and only delivered at the departure point at the border. Some cases of lost papers reported after it was submitted to General Directorate of General Security (GDGS) departments for renewal of residency in 2019.

## **9.4 Deprives newborn children to PRS from being registered and issuing documents**

Lebanon avoids registering and issuing identification documents to newborns of PRS if the parent doesn't have residency permit. Instead of facilitating normal procedures, bearing in mind their status as Refugees, the Lebanese complicate the situation under the excuse of the expiration of the residency permit of the parents. This consequently deprives the newborn from acquiring a legal personality.

## **9.5 Depriving Palestinian Refugee Women (PRW) in Lebanon from passing their citizenship to their children**

Legislation in Lebanon discriminates against Lebanese women, this discrimination is compounded against PRW. PRW married to NON IDs deprived from registering their newborn, and who are married to foreigners deprived of the right to give free residency permits to her children similar to the Lebanese mother and unlike PR men who are registered with DPAR, PRW cannot give their husband an annual foreign paid residency permit.

## **9.6 Restrictions and obstacles hinders the procedures granting citizenship to PRW married to Lebanese husband**

Lebanese legislation is not sensitive to the rights of PRW married to a Lebanese, even if she is born in Lebanon, she is treated as a foreigner in terms of restriction, obstacles and inconsistencies in the procedures for acquiring citizenship. Contrary to the amended article 5 in the 1960 Lebanese Nationality Law, they are imposing presence of child and marriage duration of 3 - 5 years. These obstacles continued despite Lebanon having accept the recommendation 80 (24) in 9/2010 UPR session, and recommendations 132 (82 - 85-86) in the 23/2015 UPR session, related to taking appropriate measures in

terms of preventing all forms of discrimination against women and violating their rights, which also applies to above paragraph 9.5.

**9.7 Recommendation: 1**

***Lebanon should adopt the recommendations related to the definition of the PR and Resettlement mentioned in the "Unified Lebanese Vision for the PR Affairs in Lebanon" (LPDC)<sup>11</sup> and legislate it in a clear unambiguous law with its implementation decrees that guarantees them their civil, economic and social rights and to live in dignity.***

**9.8 Recommendation: 2**

***Lebanon should issue official, viable identification documents that guarantee the third category of Refugees (NON IDs) a legal personality and preserve their dignity and equate them with PRL.***

**9.9 Recommendation: 3**

***Lebanon should recognize the legal status of PRS in Lebanon as Refugees due to war***

**9.10 Recommendation: 4**

***Lebanon should register and issue identification documents for newborn PRS, in accordance with the International Conventions Lebanon has ratified.***

**9.11 Recommendation: 5**

***Lebanon should remove its reservations to Article 9 of CEDAW and amend all relevant national legislation and sensitize the situation of the PRW.***

**10. Right to freedom of movement, travel and residence**

**10.1 Isolating PR camps by building concrete walls and erecting iron**

Most of the PR camps in Lebanon suffer from severe security measures, surrounded by security cordon and military checkpoints, and since 2016 the siege has intensified further, especially around the southern camps, in-particularly Ein El-Hilweh in Saida, which has been isolated by concrete walls, iron gates and control towers, that hinder the freedom of movement of PR living in camps and increase psychological pressure on them.

**10.2 Restrictions on freedom of movement of PR**

The security measures around the camps restrict the right to freedom of movement and exerts high pressures on camps inhabitants, especially when they need to register their entry and exit at night, and sometimes a day in advance, which force them to wait a long time at the military checkpoints thus hindering their mobility, impeding students from reaching schools and workers from reaching their workplaces. These restrictions place people's lives at risk during times of internal military tension or clashes. Furthermore, PR are prevented from entering the southern border areas, as foreigners, without obtaining prior permission from the army intelligence

**10.3 Discrimination against PR in regards to travel documents and their validity and travel opportunities**

Lebanon grants a biometric travel document to PR registered with UNRWA, valid for up to five years, and valid for three years for Non registered refugees with UNRWA. While, the Non IDs (exceptionally, at best) received a laissez-passer, in addition, the GDGS imposed a settlement on those who obtained a Palestinian Authority's passport, for external use in order to facilitate their travels and limits their return to Lebanon. This also limits their chances of obtaining visas and thus negatively affects their chances of residing, working and studying outside Lebanon. Furthermore Lebanon is discriminating against PRL holding Lebanese travel documents, including students and workers, who were stuck outside Lebanon from returning as part of the evacuation procedures due to the global lockdown in order to limit the spread of Covid-19.

**10.4 Restrictions on PRS from entering Lebanon**

Since the Syrian civil war began, Lebanon has implemented numerous measures, restraining the refuge of PRS forced to flee from the ongoing civil war. They were subjected to: degrading treatment that violated their human dignity; violations, intimidation and coerced return

to the danger zone; breaking up families by allowing some of its members to enter and preventing others. Since 2015, their entry into Lebanon has become almost impossible and subject to the mood of boundary port officials and justified condition with medical appointments, an appointment with the embassies, or transiting to travel.

#### **10.5 Restrictions on the right to movement of PRS and ill-treatment violating their human dignity**

Lebanon imposes on PRS residing in Palestinian camps in southern Lebanon to obtain permits from the army intelligence to enable them to leave and return to the camps where they live. These permits are renewed every six months and require a valid residency permit, and don't allow them entering another camp which need another permit that is almost impossible to obtain. PRS are subjected to intimidation, humiliation, and sometimes arbitrary detention by security forces especially at camps entrance checkpoints. They are also subjected to the same violations by political parties, municipal police and even individuals in some Lebanese regions that restrict movement of Refugees from Syria in certain hours and are not ashamed to publicize this matter. This continues despite Lebanon accepting recommendations 132 (34 - 35 - 36 - 56 - 57 - 58 - 59 - 60 - 111 - 113 - 114 - 115 - 116 - 117 - 118 - 119 - 120) in the 23/2015 UPR session, and before that, recommendations 80 (13-14-14-16-16) in the 9/2010 UPR session, related to the Convention Against Torture and other cruel, inhuman or degrading treatment or punishment, and this also applies to Paragraph 10.4 above.

#### **10.6 Recommendation 6**

*Replace the security measures that undermine human dignity in the vicinity of the camps and replace it with measures that are consistent with the concept of human security.*

#### **10.7 Recommendation: 7**

*Equity of all PR categories by granting the non-registered within UNRWA and NON IDs a biometric travel documents valid up to five years as the registered Refugees, and to stop dealing with them with racist exceptions that limit their movement to and from Lebanon.*

#### **10.8 Recommendation: 8**

*Ensure the right to freedom of movement of the PR fleeing the risky areas in Syria without any restriction and protecting them from discrimination, humiliation, arbitrary detention and cancel the currently in force permits to enter the Palestinian camps.*

### **11. Right to work and economic social protection**

The working conditions for PRL did not improve despite the amendment of the Labor Law in 2010, which continued to be subject to the disposition of labor ministers in the absence of the implementation decrees. In 23/2015 UPR session, Lebanon settled with taking note of recommendations 132 (162 - 203-215) that call for improving working conditions for them, knowing that Lebanon accepted recommendation 80 (32) in this regard and did not respond to recommendation 84 (10) in 9/2010 UPR Session, hinting that it has implemented some of the claims or under implementation.

#### **11.1 Restrictions on PR to enter the Lebanese labor market**

The Lebanese labor law is not sensitive to the status of PR who have been in Lebanon for 72 years, and who are still subject to the provisions of laws that sponsor foreigners' work. Despite the amendment of Labor Law 129/2010, Article 59, which exempted them from reciprocity and work permit fees, it required that they obtain a work permit renewed annually, without any clear implementation decree, leaving the renewal up to the minister and creating more instability. This law is similar to the system of laws that ignore the legal personality of the PR and/or fragment their rights, which reflects negatively on the employment of PR during the implementation of the plan to reduce illegal foreign employment launched by former Labor Minister Camille Abu Suleiman in 2019, and caused the dismissal of a large number of Palestinian workers who were exploited by their employers by employing them illegally.

#### **11.2 Deprive PR from working in professions requiring joining a syndicate**

PR are deprived from working in "liberal professions" that require syndicate affiliation, as the laws governing these professions impose and/or prefer Lebanese citizenship. For example, anyone practicing the legal profession is supposed to be Lebanese for more than ten years (Law No. 8/70), and in other professions reciprocity and practice of the profession are required in the country of origin, such as the Physicians Syndicate (Decree No. 1659 of 1979). Although the amended Labor Law (129/2010) exempted the PR from the condition of reciprocity, the failure to amend the laws and/or regulations of free trade syndicates in line with the amendments to the Labor Law - prevents Refugees from being affiliated with unions and deprives them of practicing the profession, knowing that Free trade syndicates offer the exception, if they want or need. For example, Palestinian nurses are allowed - and because of the need - to work in the nursing profession after submitting an application for permission to practice the profession and they are satisfied with obtaining the registration number of the application without granting them permission, so that the situation remains pending, which prevents them from joining the syndicate and from enjoyment of benefits and privileges.

### **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 services and familial benefits; including maternity benefits, despite the Social Security Law stating that every worker is subject to the payment of all fees (23.5% of the value of salary), which PRWOMEN pay but benefit only from the end of service indemnity (equivalent to only 8.5% of the paid value)<sup>12</sup>. Consequently, this accumulated certain amount at the Social Security Fund and forced PR 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 Deprive PR from banking facilities during the economic crisis.**

PRL are deprived of the economic protection stipulated in the relevant international treaties and conventions. In June 2020, they were excluded from obtaining the limited share of priced-dollar for local use and/or transfer, as was endorsed by the Lebanese government for Lebanese citizens. Despite of PR contribute tens of millions of dollars every month through UNRWA, the PLO, Palestinian factions, and international and local organizations operating in the Palestinian sector, in addition to remittances from migrant refugees and/or workers living abroad to their families in Lebanon.

### **11.5 Recommendation 9:**

*Amend Law 129/2010 by cancelling the work permits and granting PR the right to practice the so-called "Liberal professions", and issue decrees to ensure implementation of the law.*

### **11.6 Recommendation 10:**

*Amend Law 128/2010, to allow PR workers to enjoy their full rights in social security, and guaranteeing maternity benefits to employed PRWOMEN and issue decrees to ensure implementation of the law.*

### **11.7 Recommendation 11:**

**Eliminate discrimination against PR and equate them with the Lebanese in terms of the benefits and facilities that are granted during crises to ensure their economic and social rights.**

## **12. Right to own property**

### **12.1 Depriving PR of owning real estate**

The amendment of the Ownership of Foreigners Law (296/2001) prohibited PRL from owning any real estate, because they do not possess "citizenship issued by a recognized country" on the pretext of contradicting "the provisions of the constitution in terms of rejecting resettlement."

### **12.2 Expropriation of the property of PR who owned property prior to 2001 but did not complete the registration of their properties at the respective directory**

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 transfer of inherited real estate. This obstruction forces some affected persons to resort to judicial measures, which poses additional financial burdens. It is worth noting that consideration of similar cases depends on the mood of the judges.

### **12.3 Restrictive procedures in registering property for foreigners married to PR**

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 or the husband is a PR, the registration will be shelved, and mostly returned, in violation of the law, this requires judicial recourse and adds a lot of financial and nonfinancial burdens.

### **12.3 Recommendation 12:**

*Lebanon must end discrimination against PR by amending the law to allow PR to own real estate.*

### **12.4 Recommendation 13:**

*Lebanon 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 before 2001 till finding a solution.*

### **12.4 Recommendation 14:**

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

## **13. Right to adequate housing and shelter**

### **13.1 Depriving PR from adequate housing**

PR living in the camps suffers from poor housing conditions owing to overpopulation and overcrowding, since the camp areas have not expanded since 1950. Haphazard, closely constructed vertical buildings allow little sunlight to enter the shelter. The shelters 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. This is considered a detriment to human dignity and constitutes a grave danger to life in the time of the spread of the pandemic, and prevents the right to privacy for families and within the same family. What adds to the suffering of the camps is the lack of potable water and sanitation, and the random extensions of electric wires for electricity, that is a danger to many and dozens have been electrocuted.

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

Lebanon primarily deals with PR as a security concern; blockading the camps and preventing the entry of building and sanitation materials for the maintenance of the sewage systems, without Army Intelligence permission. These procedures hinder, if not prevent, PR from repairing their houses especially in camps in South Lebanon. And it is a constant danger to their lives. This led to the complete or partial collapse of buildings in the camps, as happened recently in Al Rashidieh and Ain al-Hilweh, and PR gathering in Jal Al-Bahr near Tyre, and caused injuries for some residents. This opens the door for illegal trade in the entry of construction materials at a high cost, and weigh on PR residents in camps, whose needs are exploited, while some individuals make profits from the situation. All of this occurs in the absence of any role for the



municipalities (which the camps are within).

### **13.1 Incomplete reconstruction of Nahr Al-Bared camp**

Despite the promises of reconstruction and the rapid return of residents, 1,599 Refugee families<sup>13</sup> from Nahr al-Bared camp who have not been re-housed continue suffering after 13 years of its destruction (2007), due to arbitrary and discriminatory Lebanese political and security measures<sup>14</sup> and decisions that have resulted in hesitation, delay, and / or retreat by some donors from fulfilling their pledges to in the absence of an accountability system. According to UNRWA, the completion of reconstruction requires an additional two years if funding is secured<sup>15</sup>.

### **13.3 Recommendation 15:**

*Lebanon, which has sovereignty over its territory, must carry out its duties by setting a plan that sensitizes the right to adequate housing in the camps.*

### **13.4 Recommendation 16:**

*Lebanon 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 17:**

*Lebanon must accelerate its efforts in reconstructing Nahr Al – Bared Camp and ensure the return of camp residents and conduct a technical and transparent investigation that exposes the reasons for delaying the reconstruction and those responsible for it.*

## **14. Right to health**

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

Lebanon 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 even in pandemics.

### **14.2 Depriving PR from a healthy environment**

PR camps and some of PR gatherings outside the camps suffer from poor and inadequate infrastructure; with drinking water often contaminated by sewage. High humidity, leaking, no sunlight, with poor 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.

### **14.3 Depriving PR with disabilities of their rights**

Although Lebanon accepted recommendations 132 (183 – 184 – 185 – 186 – 187 – 189 – 190 – 191 – 192 - 193), relating to persons with Disabilities in the 23/2015 UPR Session, and before that the recommendations 80 (1- 2-3-4-5) in the 9/2010 UPR session, in response to recommendation 80 (21) regarding the creation of additional national mechanisms for the promotion and protection of human rights of vulnerable groups, especially women, children, and people with disabilities, Palestinian refugee with a disability do not benefit from these rights that Lebanese disabled people enjoy, despite the fact that Law 220/2000 does not exclude them from these rights because it mentions “a disabled person” and not a Lebanese disabled person, while the national mechanism distinguishes between them and deprives the disabled PR from benefiting from Services provided for by law.

### **14.4 Recommendation 18:**

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

### **14.5 Recommendation 19:**

**Combating disease outbreak and chronic diseases and improve the environment of Palestinian camps**

and gathering in Lebanon.

#### **14.6 Recommendation 20:**

**Law 220/2000 must be amended and disability cards should be issued to PR with disabilities; in equal to Lebanese with disabilities and providing the necessary equipment for the disabled and the elderly.**

#### **15. Right to protection and fair trial**

##### **15.1 Arbitrary detention and depriving PR from the minimum conditions of fair trial**

The Lebanese Authorities deals with PR in the camp through intelligence security measures during arrest and prosecution, without differentiating the type of offence. Despite the due process of law in Lebanon, PR are pursued or/and arrested by the intelligence only on suspicion contrary to regulations, instead of conducting investigations and calling-in, they treat the suspect or/and the accused as guilty until proven innocent, sometimes they are intimidated and enticed to subdue and the best evidence for this is the wanted of Ain El-Helwa, and some are arbitrarily detained and deprived of their freedom and prevented from communicating with the outside world. It is important to mention that combinations of assault, coercion and intimidation tactics are used during interrogation, and failure to ensure facilitation to adequate legal defense. After being interrogated in a security intelligence branch, the suspect will be transferred to the relevant authority based on the nature of the crime. As for the duration of detention without trial, the Lebanese Authorities does not respect the legal time frame. An example of this is how since 2007, Lebanese authorities are still detaining some Nahr el-Bared residents under arbitrary detention without fair trial, despite the acceptance of the Lebanese state of recommendations related to "the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment" in the recommendations of the 23/2015 and 9/2010 sessions, whose numbers are mentioned in paragraph 10.5.

##### **15.2 Barriers to women's access to justice**

Law 293/2014 "protection of women and other family members from domestic violence" ensures partial protection for women, however their access to justice, protection and human rights is limited, because of the weakness in the procedural justice in Lebanon, not to mention its unavailability in the camps. While this "procedural justice" carried out by unqualified security and popular committees' members, in the absence of right based approach system, especially for women, as well as the prevailing norms and traditions that control PR societies. We can mention here, as an example, the incidents of the death of a number of women inside the Ain al-Hilweh camp in mysterious circumstances, who allegedly committed suicide in the absence of a transparent and technical investigation<sup>16</sup>. Lebanon accepted recommendations 132 (86 - 129) related to combating and criminalizing family violence in the 23/2015 UPR session, and before that it supported recommendations 80 (22 - 23-24) related to the same issue in the 9/2010 UPR session.

##### **15.3 Early marriages and sexual abuse**

The absence of a unified Civil Personal Status Law in Lebanon, and restricted to the Lebanese sectarian courts that do not support marriage at the age of 18 at least, the protection of children from early marriage is absent, while the deteriorating health and psychological status of minors and their children persists, especially among PRS families, who suffer from extreme poverty and instability in the absence of the Lebanese state's role in protection, and concern for their lives and safety if they are deported to Syria. This situation made them vulnerable to sexual exploitation.

##### **15.4 Human trafficking and exploitation of vulnerability**

Lebanon responded to recommendations 81 (6-8) from 9/2010 UPR session, by issuing the law (164/2011) - "Punishing the crime of trafficking in persons" - which criminalizes human trafficking, but considers victims as partners in the criminal responsibility, and links the limitation of liability to

compulsion, through the article 586 (8), as "the exempted victim is exempt from punishment who proves that he was forced to commit acts punishable by law or violated the conditions of residency or work." The absence of protection and legal accountability in Lebanon, and persistence in the policy of non-preservation, encouraged human traffickers to take advantage of the vulnerability of the four categories of PR. After the move back from the "Journeys of Death"<sup>17</sup>, they worked to promote other ways, particularly through specialized travel agencies, that lead PR to fly through several countries to the destination country of asylum; a process that charging them large sums of money, and pushing them to sell their homes in camps (which legally they don't own, and supposed to be under control of UNRWA) in addition to everything they own, to cover the costs of their smuggling and leave again. In addition to the challenges, risks and violations that refugees face during the process of trafficking, smuggling and / or movement and travel, especially if they were discovered and arrested in transit countries<sup>18</sup>. This process is carried out openly, without supervision or accountability, and some of the refugees use forged documents and visas, while authorities turn a blind eye and allowing a security and political cover, although it is a pattern of human trafficking. It is reported that Lebanon accepted in the 23/2015 UPR session, recommendations 132 (142 - 143 - 144 - 145 - 146 - 147 - 148) related to combating human trafficking, criminalization and protection of victims, and before that it announced its support for recommendations 80 (18-19 - 20) in the 9/2010 UPR session, and claimed that Recommendations 81 (7-13) are under implementation or implemented.

#### **15.5 Recommendation 21:**

**Lebanon must end all inhumane treatment of PR by intelligence and security forces and must respect the due process of law; Accelerate the trial process of the Nahr Al-Bared detainees and ensure they undergo a fair trial and that innocent detainees are released and are compensated**

#### **15.6 Recommendation 22:**

**Lebanon must strengthen and expand the Lebanese State's procedural justice mechanisms to include the camps; hereby providing State protection for PRW, and secures their access to justice, starting with professional and transparent investigations, to uncover the circumstances of the mysterious death of Palestinian women in the camps.**

#### **15.7 Recommendation 23:**

**Lebanon must raise the age of marriage to 18, criminalizing early marriage and punishing the perpetrators, and provide protection for vulnerable women and girls from being sexually exploited, as well as giving married minors and their children the necessary attention, protection and guidance necessary to ensure that their health and psychological status does not deteriorate and reduce the deaths of minors and their children.**

#### **15.8 Recommendation 24:**

**Lebanon must seriously pursue human traffickers and amend Law 164/2011 to protect victims of human trafficking for the four categories of PR without discrimination, especially children and women, and drop criminal responsibility on them, in accordance with international standards in this field.**

### **16. Right to freedom of opinion and expression and Right to freedom of association**

#### **16.1 Restrict the right to organize demonstrations to Lebanese only**

The Ministry of Interior and Municipalities Decision 352 "Paragraph 3 Article 1" (20/2/2006) limits the right to organize demonstrations only to Lebanese, which deprives the Palestinians of this right and pushes them to use the Lebanese, as guardians, to organize the demonstration outside the camps. Usually this process is exploited, and the best evidence is what happened during the protests against the plan of the Ministry of Labor to organize illegal foreign workers 2019. In movements outside the camps organized by some Lebanese parties, who uploaded Palestinian demands to political positions, exploiting them in the internal alignment, and sending messages, in favor of one Lebanese group against another.

Other movements outside the camps in which Lebanese supporters took part in the Palestinian demands faced repression by the authorities. Warrants of arrest were issued against some car owners that participated in the car demonstrations, and other marches were prevented after the sub-Security Council in the South (which met on 25/7/2019) banned gatherings or demonstrations or marches of any kind without obtaining a prior license.

#### **16.2 Depriving PR of the right to publish publications and leaflets**

PR are not entitled to issue publications formally because the Lebanese Publications Law of 1948 Article 4 states that "The owner of the periodical publication is required to be Lebanese. If he is a foreigner, the approval of the Foreign and Interior Ministers and the corresponding reciprocity between Lebanon and the country to which he belongs is required."

#### **16.3 Depriving PR from the right to form associations and restrict their membership in Lebanese associations**

PR, being classified as special category and other times as foreigners, are prohibited from establishing associations and restrictions are imposed on their participation in Lebanese associations. Articles of the law, executive procedures, and related decisions are not sensitive to the special situation of PR; for every association "is actually run by foreigners or has either foreign management members or at least a quarter of its members are foreigners", the foreign association is subject to Resolution No. 369 LR issued on December 21, 1939. A foreign association can only be created by a special decree issued by Lebanese Government.

#### **16.4 Recommendation 25:**

**Issuing a decision that allows PR to express their opinion through gathering and peaceful demonstrations, without any hindrance.**

#### **16.5 Recommendation 26:**

**Treating the Palestinian refugee the same way as the Lebanese in issuing publications within the publications regulation law**

#### **16.6 Recommendation 27:**

**The codification of the formation of associations for PRL, similar to the Lebanese citizen, and not being satisfied with the principle of "turning a blind eye", in order to develop the institutionalization and governance of existing Palestinian associations**

## **References**

<sup>1</sup> <http://www.lpdc.gov.lb/archive/a-unified-lebanese-vision-for-the-palestinian-refu/424/en>

<sup>2</sup> (1) Refugees registered with the Ministry of Interior and Municipalities (MIM), within the Department of Political Affairs and Refugees (DPAR) and the Relief Works Agency for Palestine Refugees in the Near East (UNRWA); (2) Refugees Registered in the (DPAR) but not registered with UNRWA; (3) the "Non IDs" Refugees how are not registered with either (DPAR) or (UNRWA)

<sup>3</sup> Palestinian Refugees in Lebanon have suffered from shrinking of economic, social and civil spaces, since a long time and have reached the point of closure, which it was essentially an extraordinary space in an exceptional country.

<sup>4</sup> <https://tinyurl.com/r3j783b>

<sup>5</sup> <https://tinyurl.com/ybx7566s>

<sup>6</sup> By Lebanese director Charbel Khalil on the program "Bass Mat Watan" that was broadcasted on LBC channel <https://www.youtube.com/watch?v=DnExq2k9sbQ>

<sup>7</sup> 132 (40 - 162 - 167 - 203 - 211 - 215)

<sup>8</sup> Recommendations that Lebanon supported in the "Working Group on the Universal Periodic Review" **A/HRC/16/18** dated March 16 2011 are: 80 (1-2-3-4-5-6-11), concerning signing and / or ratifying international conventions, and not abiding by them.

<sup>9</sup> Recommendations that Lebanon claimed to be under implementation or implemented in the "Working Group on the Universal Periodic Review" **A/HRC/16/18** dated March 2011 are: 81 (6), which Lebanon considered to be implemented by issuing the law 164/2011 "Punishment for the Crime of Trafficking in Persons". Lebanon also

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considered that recommendations 81 (1-2-10-14-15-17-25-26) under implementation and ignored recommendations 81 (4-7-8-9-13-16-21)

<sup>10</sup> [http://www.palhumanrights.org/rep/ENG/phro\\_report\\_non-id.pdf](http://www.palhumanrights.org/rep/ENG/phro_report_non-id.pdf)

<sup>11</sup> <http://www.lpd.gov.lb/archive/a-unified-lebanese-vision-for-the-palestinian-refu/424/en>

<sup>12</sup> <https://www.cnss.gov.lb/index.php/pubcirculars/pubcirc0437>

<sup>13</sup> [https://palembassy-lb.net/\\_page.php?page\\_id=14](https://palembassy-lb.net/_page.php?page_id=14)

<sup>14</sup> The procedures and decisions that hindered the completion of the reconstruction of Nahr el-Bared camp: (a) The permit system that was followed (in the previous phase) by the Lebanese security services had negative repercussions on the reconstruction process, which started from tenders and discretion to give security permits to contractors; The introduction of equipment and construction materials; Entry and exit workers. (b) Political obstruction under the pretext of the presence of archaeological areas in addition to other pretexts without giving alternatives; ...etc

<sup>15</sup> <https://tinyurl.com/ttgkqk2>

<sup>16</sup> PHRO monitored 2 of 6 deaths reported to have committed suicide or were killed by mistake. A PHRO monitor quoted paramedics as confirming that the type of injury of a girl (A.A) in her early twenties, who died in August 2017, confirms that she was killed and did not commit suicide. Also, a married woman (N.H.), rumored that she had an extramarital affair, died by mistake when a Kalashnikov rifle fell to the ground and the bullet that she wanted was fired immediately!! These two cases are like other cases that were obscured without a transparent technical investigation.

<sup>17</sup> <http://www.palhumanrights.org/rep/ENG/UPR%20Report%20for%20Lebanon%20-%202015%20-%20Palestinian%20Coalition%20in%20Lebanon.pdf> page 13-14 paragraph 16.5

<sup>18</sup> PHRO recently had a harsh experience while tracking down a trafficking and smuggling operation, which is currently being documented, and "PHRO" will issue a special report on the experiment. PHRO will have an intervention during the universal periodic review of the transit country in which the experiment took place, describing the violations suffered by victims of trafficking and smuggling.