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SOCIAL EXCLUSION OF PALESTINIAN REFUGEES IN LEBANON: REFLECTIONS ON THE MECHANISMS THAT CEMENT THEIR PERSISTENT POVERTY

Sari Hanafi, Jad Chaaban and Karin Seyfert*

The majority of Palestinian refugees living in Lebanon lives in poverty. This can be observed across a number of socio-economic indicators such as low income and few assets held by the household, poor housing, poor educational achievements, poor health, and others. However, these factors, while completing the picture of what it means to be poor for a Palestinian household, fail to explain the persistence of the low socio-economic status suffered by most Palestinian households. This article argues that restriction of access to major social and occupational institutions of society tremendously affects the living conditions of Palestinian households. Identifying these restrictions as systematic social exclusion, this article outlines mechanisms of exclusion. Particular attention is given to the camp as a form of urban exclusion, aggravating the existing legal discrimination against Palestinian refugees.

Keywords: Palestinian refugees, social exclusion, Lebanon, poverty

1. Introduction

Palestinians in Lebanon have been refugees for over 60 years, and should be called more appropriately: protracted refugees. Their unenviable situation is caused by the effects of inaction both in their country of origin and their country of refuge. Protracted refugees in Lebanon are often deprived of their socio-economic or civil rights, such as the right to work, practice professions, run businesses, and own property. The majority is confined to camps or segregated settlements where they are partially dependent on humanitarian assistance and often live in dire socio-economic circumstances. This article is concerned, first, with how the lack of rights and social exclusion of Palestine Refugees affects

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^{*} American University of Beirut (AUB). The article draws upon a national Socio-Economic Household Survey of Palestinian Refugees in Lebanon, conducted by the AUBt in cooperation with the United Nations Relief and Works Agency (UNRWA), covering 2,501 Palestinian households, interviewed in 2010. Households in camps as well as gatherings were interviewed, in a total of 32 localities. The survey was financed by a grant of the European Union. The authors gratefully acknowledge invaluable contributions made by UNRWA staff and student volunteers. Many worked long hours in the heat of August, under difficult conditions to collect the data on which the present article is based. For full results, see UNRWA & AUB, Socio-Economic Survey of Palestinian Refugees in Lebanon, UNRWA & AUB, 2010.

their living conditions, and second, how this affects their (un)employment status.

Based on a model developed by Berman and Phillips, ¹ this article identifies some domains of social exclusion of Palestinian refugees in Lebanon, a process that through restriction of access to major social and occupational institutions of society tremendously affects the living conditions of the refugee population. It is worth noting from the outset, that while this article argues strongly for certain aspects of social inclusion of Palestinians in Lebanese society, the same does not apply to the political domain, as neither Palestinian refugees nor the Lebanese people desire that. This issue will be discussed in more depth below under the heading of *tawteen*, or naturalisation of Palestinians.

As for social inclusion along the domains of education, health, and some community services, many of these are provided by UNRWA. Attention will be given to the camp as a form of urban exclusion, aggravating the existing legal discrimination against Palestinian refugees.

This article draws upon a national Socio-Economic Household Survey of Palestinian Refugees living in Lebanon, conducted by the American University of Beirut (AUB) and UNRWA, covering a sample of 2,501 Palestinian households. Data was collected in late July and early August 2010. Households in camps as well as gatherings were interviewed, in a total of 32 localities.²

Social exclusion can be defined as marginalisation or detachment from a moral order, which is associated with a status hierarchy or a set of rights, duties, and obligations. Social exclusion has evolved over time to include economic, social, and to some extent political aspects. Referring to the European Commission, Bhalla and Lapeyre state that:

[...] each citizen has the right to a certain basic standard of living and a right to participate in the major social and occupational institutions of the society: employment, housing, health care, education, and so on. [...] beyond the diversity of national situations, (social exclusion) is tending to establish within society a mechanism which excludes part of the population from economic and social life and from their share of the general prosperity. [...] The problem now is not one of disparity between the top and bottom of the social scale (up/down), but also between those comfortably placed within society and those on the fringe (in/out).³

Y. Berman & D. Phillips, "Indicators of Social Quality and Social Exclusion at National and Community Level", Social Indicators Research, 50(3), 2000, 329-350.

² This survey was funded by the European Union, using a structured questionnaire administered during face-to-face interviews with a proxy respondent from the household. In addition to standard questions relating to the demography, education and employment status of household members, the questionnaire features sections on health, food, housing, household assets and expenditure. More information on the survey and its methodology can be found at: http://fafsweb.aub.edu.lb/aub-unrwa/ (last visited 16 Nov. 2011).

³ A. Bhalla & F. Lapeyre, "Social Exclusion: Towards an Analytical and Operational Framework", *Development and Change*, 28(3), 1997, 413–433.

What is compelling in the Commission's conceptualisation is that, first, it emphasises the role of social exclusion as a structural problem (following the French tradition),⁴ and secondly, concerns populations living in Europe and not necessarily citizens. This latter point implies that social inclusion, as a remedy to exclusion, applies not only to citizens but also to migrants or refugees and is thus relevant to our study.

Berman and Phillips elaborate on some objective and subjective indicators concerning social inclusion, in their case by demographic variables including but not limited to age, sex, region, ethnicity, and employment status:⁵

- 1. inclusion in the social security system: distribution of access to social security services indicated;
- 2. labour market inclusion: distribution of access to jobs, full-time and part-time employment;
- 3. housing market inclusion: distribution of access to neighbourhoods, subsidized and protected housing; homelessness etc.;
- 4. health service coverage: distribution of access to health services; mortality rates;
- 5. inclusion in education system and services: distribution of access to and discrimination in educational and cultural services;
- 6. political inclusion: restrictions on eligibility to stand as an elected representative or member of a government;
- 7. inclusion in community services: distribution of access to leisure facilities and neighbourhood services; and
- 8. social status inclusion: equal opportunities and anti-discrimination legislation; distribution of access to social and leisure facilities.

These indicate the role of society and the State in ensuring social inclusion. However, in addition to communities defined by demographic markers, society is also composed of ethnic communities. Berman and Phillips⁶ develop two additional social inclusion domains and indicators in the context of what Delanty⁷ calls ethnos communities, which apply to the current case of refugee communities. These two domains are first, identification (membership and self-identification, common interests, feeling of belonging, language) and second participation (organizational affiliation, cultural and leisure activities, use of free time, friendship networks).

What is interesting in both the societal and community dimensions of social exclusion is that it is primarily concerned with the *processes* (rather than

⁴ In French Republican thought, it refers to a process of "social disqualification" leading to a breakdown of the relationship between society and the individual. In this sense, social exclusion is deeply rooted in the Republican tradition of solidarity in which the State plays a major role; see Bhalla & Lapeyre, "Social Exclusion"

⁵ Berman & Phillips, "Indicators of Social Quality and Social Exclusion", 329-350.

Ibid., 392–350.

G. Delanty, Reinventing Community and Citizenship in the Global Era: A Critique of the Communitarian Concept of Community. In Communitarianism and Citizenship, Aldershot, Avebury, 1998.

outcomes) by which individuals and their communities become polarised, socially differentiated, and unequal.⁸

2. Historical overview⁹

The story of the Palestinian presence in Lebanon is one of deep ethno-national divisions, political confrontation and, in the post-civil war years, ideological controversy. A total of 100,000 people fled to Lebanon during the Israeli-Arab War in 1948. Many refugees interviewed by Hanafi and Long¹⁰ reported the brutality and oppressive nature of the control over the camps at that time by the police, army and *Deuxième Bureau* (Lebanese military intelligence). The majority of refugees gathered in camps and some of the camps (in the south) that acted as transit camps later became permanent. 12

Palestinian nationalism grew quickly from 1965 onwards. After the Palestinian Liberation Organization (PLO) in Jordan was crushed in 1970 and its leadership relocated to Beirut, the Lebanon camps became the centre for Palestinian resistance against the Israeli State. While UNRWA had already been set up to cater for the Palestinian refugees, providing education, health and social services, a sizable number of Palestinian institutions, including nurseries, vocational training centres, health clinics and various industries (textile, leather goods, ironwork, furniture, handicrafts) were also established and expanded immensely in the 1970s following the arrival of the Palestinian leadership. This allowed for the establishment of institutions and organizations to serve Palestinian refugees and camp committees and a number of other organizations engaged in health, education, culture, and sports in and around refugee camps. At one point the largest part of the Palestinian labour force, perhaps up to two-thirds, was employed by the PLO and the resistance movement, including in political offices and armed units. 14

The Palestinian community in Lebanon took shape not only economically but also politically and spatially. The re-emergence of distinctly Palestinian nationalist politics in the mid-1960s followed the progress made by the scattered Palestinians in rebuilding their socio-political space. This progress, which was

B. D. Phillips, "Social Inclusion, Social Exclusion and Social Cohesion: Tensions in a Post-Industrial World", The Hong Kong Journal of Social Work, 42(1-2), 2008, 3-31.

⁹ S. Hanafi, & T. Long, "Governance, Governmentalities, and the State of Exception in the Palestinian Refugee Camps of Lebanon", Journal of Refugee Studies, 23(2), 2010, 134-159.

¹⁰ Ibid., 134-159.

Between 1958 and 1964, President Fu'ad Shihab created an elaborate, ruthless secret-service network to monitor the Palestinian camps. N. Rosen, "Scapegoats in an Unwelcoming Land", Washington Post, 16 Dec. 2007, available at: http://www.washingtonpost.com/wp-dyn/content/article/2007/12/14/AR2007121401329.html (last visited 6 Nov. 2011).

J. Sfeir, "Du provisoire au permanent: les débuts de l'installation des réfugiés au Liban, 1948-1951", MIT Electronic Journal of Middle East Studies, 5, 2001, 30-42.

¹³ S. Farsoun, & C. Zacharia, *Palestine and the Palestinians*, Boulder, Westview Press, 2005.

R. Sayigh, "Palestinians in Lebanon: Harsh Present, Uncertain Future", Journal of Palestine Studies, 25(1), 1995, 37–53.

enhanced by the Palestinian resistance movement and the PLO, played a key role in promoting a collective political and national identity among the exiled Palestinians who until then had seen themselves merely as refugees. The camps played an important role, as the 1969 Cairo Agreement between the Lebanese Government and the Palestinian resistance secured the Palestinians full control over the camps, which virtually became a state-within-a-state. To this day, the camps make up an enclave space of exception where the State deliberately has not wanted to extend the rule of law. Special arrangements with the prevailing local forces have been necessary to enforce some other laws.

The 1982 Israeli invasion, however, forced the PLO to leave Beirut, and with the Palestinian leadership gone, scores of social and economic institutions disappeared, along with employment and income. The expulsion of the PLO coincided with falling remittances in the 1980s, particularly from the Gulf monarchies. Later, the diversion of foreign aid from Palestinians in Lebanon to the Palestinian territory in the wake of the Oslo Accords made the situation worse. After 1982, with the exception of a few organizations such as the Palestine Red Crescent Society, almost all PLO-created organizations collapsed and, as a result, the Palestinian refugees residing in the camps had only UNRWA to cater to their needs. 16 But despite UNRWA's efforts, with the other organizations, the conditions of the Palestinian refugees have gone from bad to worse. Housing problems have become more acute, the economy has deteriorated, and the social environment has reached an alarmingly unhealthy level. This environment led many institutions to extend a helping hand to the refugees. To date, there are 46 Arab and 20 foreign non-governmental organizations (NGOs) which assist the Palestinian refugees in Lebanon. Some provide multiple services; others are specialised in one specific sector. The role of the foreign NGOs is primarily one of funding, with the exception of a few who are involved directly with refugees. Arab and Islamic NGOs are more involved in the actual provision of services. 17 After the war, under the so-called "Pax Syriana" of 1990-2005, Palestinians fared little better than they had in the 1950s and 1960s. Syrian-Lebanese intelligence services reasserted their dominance over the camps and prevented the establishment of any united Palestinian authority. They did so in large part by keeping Fatah and the PLO out of northern Lebanon and by

Article 2 of Section 1 of the Agreement called for a reorganization of "the Palestinian presence" in Lebanon through "the foundation of local administrative committees in the refugee camps, composed of Palestinians, in order to defend the interests of the Palestinians residing in those camps, in collaboration with the local authorities and within the framework of Lebanese sovereignty".

Before 1982, the PLO and UNRWA were two major employers for Palestinian refugees in Lebanon. While the PLO recruited professionals of all categories, UNRWA employed professionals such as teachers, nurses, and doctors. The 1982 eviction of the PLO changed the situation dramatically, and the PLO was reduced mainly to one institution, that is, the Palestinian Red Crescent Society (PRCS), which depends on the PLO. During the same time period, UNWRA has dramatically reduced its recruitment because of the extreme strain on its resources.

Ajial Center, Palestinian Non-Government Organizations in Lebanon, Research Data, Beirut, Ajial Center, 2001, available at: http://prrn.mcgill.ca/prrn/papers/ajial_center/ngo_lebanon.html (last visited 6 Nov. 2011).

sponsoring groups such as *Ahmed Jibril's PFLP-GC* and *al-Sa'iqa* in northern Lebanon and *al-Ahbash* in 'Ayn al-Hilweh. ¹⁸ Collectively, Palestinians began to refer to these pro-Syrian factions, including Hamas, as the "Alliance", or *al-Tahaluf*. As Bernard Rougier has convincingly argued, the Syrian position vis-à-vis the Palestinians in Lebanon was one of systematically "encouraging inter-Palestinian rifts and blocking any possibility of direct negotiation between the Lebanese Government and the (Palestinian Authority's) local representatives". ¹⁹ Currently, there are PLO factions and coalition operating inside the camps. The PLO office is representing the Palestinians in Lebanon.

Hamas, in particular, expanded its activities in Lebanon during the years of Syrian hegemony. It and other Islamist groups gained strength at the expense of the more secular PLO, Fatah, and Leftist revolutionary groups like the Popular Front for the Liberation of Palestine (PFLP) and Democratic Front for the Liberation of Palestine (DFLP). Ultimately, as other historians of Lebanon and political scientists have argued, the "power vacuum" left by waning PLO influence paved the way for the establishment in the camps of some of the Middle East's most radical Islamist groups, such as *Jund al-Sham*, *'Usbat al-Ansar*, and some years later, *Fatah al-Islam*.

Palestinian refugees in Lebanon can be categorised into three groups.²⁰ The majority of Palestinian Refugees is "registered" as refugees by both UNRWA and the Lebanese authorities, and benefit from the services offered by UNRWA. The second category (35,000) consists of "non-registered" refugees, as estimated by NGOs operating in the camps in 2004. These refugees fall outside the UNRWA mandate because they left Palestine after 1948, and took refuge outside UNRWA's areas of operation. They were registered by the Lebanese Government. UNRWA started to serve the non-registered population in January 2004. The third category (3,500) consists of the "non-identified" refugees, who are not registered with any agency in Lebanon or internationally and thus possess no valid documents. They have access to some of the UNRWA's services. They endure difficult socio-economic conditions as they lack stable income due to their ineligibility for work. They do not have access to health care, educational facilities, or other forms of humanitarian assistance, such as home refurbishment. Other local organizations, such as the PRSC, provide health facilities accessible to non-ID refugees. However, in most cases they have to pay for these services.²¹

B. Rougier, Everyday Jihad: The Rise of Militant Islam among Palestinians in Lebanon, Harvard, Harvard University Press, 2007.

¹⁹ Ibid

Danish Refugee Council, Survey Report on the Situation of non-ID Palestinian Refugees in Lebanon – Compared to Registered and Non-registered Refugees residing in Camps and Gatherings, Beirut, Danish Refugee Council, 2005, available at: http://reliefweb.int/sites/reliefweb.int/files/reliefweb_pdf/node-233272.pdf (last visited 6 Nov. 2011).

²¹ Ibid. For more details see the Frontiers Center report, 2005.

3. Palestinians in camps: an urban exclusion

Many factors may play a role in pushing the refugee community into poverty and social exclusion. What we argue in this article is that space is one of three chief factors contributing to creating social exclusion and endemic poverty in some Palestinian refugee communities. These factors are: first, living in a slum-like urban area, and second, being discriminated against in the labour market.²²

While differences between camp dwellers and refugee urban dwellers (off-camp dwellers) in Syria and to a lesser extent in Jordan are relatively minimal, the gap between camp (and gathering) and city refugees in Lebanon and in the occupied Palestinian territories is enormous. In Syria and Jordan, refugees enjoy access to free education, relatively egalitarian job opportunities, and can cross national borders for work abroad with relative ease. Camps in Jordan and Syria constitute, by and large, open spaces regulated by the host State, while in Lebanon they are set in closed spaces. "Open space" is defined as both urban and societal. Open urban space is regulated by the host country to look like any residential low-income neighbourhood, allowing it to be connected with the surrounding cities and villages and having a governance body capable of dealing with the municipal issues inside the camps. From the societal point of view, camp dwellers are relatively integrated socially and economically into the surrounding neighbourhood and labour market. A "closed space" does not meet at least one of these conditions; camps organized as "closed spaces" constitute urban enclaves or satellites located at the urban periphery, lacking in green spaces, and with poor access and poor housing.

As one can clearly see from Table 1, it is only in both Lebanon and the Palestinian territory (mainly the West Bank) that the poverty rate is higher compared to the local population, despite the fact that in the Palestinian territory there is no institutional discrimination in the labour market. This discrimination in the labour market certainly plays a partial role in the poverty rate as noticed in Lebanon. Therefore, the factor contributing to the production of a high poverty rate shared by refugees in Lebanon and the West Bank is the feature of "closed space". This demonstrates how salient such a space is, in regards not only to refugees' living conditions but also to their urban identity. This analysis by country does not in any manner suggest homogeneity inside each respective country, mostly because of the location of the camps. Some camps are located inside an urban context, while other camps are situated at the urban periphery, and a number of them are isolated camps within a rural setting. The differences between these camps are sometimes huge.

For more details about the camp as space of exception, see S. Hanafi, "Palestinian Refugee Camps in Lebanon: Laboratory of Indocile Identity Formation", in M.A. Khalidi (ed.), *The Lived Reality of Palestinian Refugees in Lebanon*, Institute of Palestine Studies, 2010, 45–74.

What we are describing here is true on one level, but not on another. It holds when comparing the camp populations in Jordan and Palestinian territory to the country average. However, in both places there are large population groups with even poorer living conditions. M. Khawaja, & Å. Tiltnes (eds.), On the Margins: Migration and Living Conditions of Palestinian Camp Refugees in Jordan, Fafo Report 357, Oslo, FAFO, 2002, available at: http://www.fafo.no/pub/rapp/357/index.htm (last visited 16 Nov. 2011).

Country/region	Discrimination in labour market	Governance body	Type of camp	Rate of poverty compared to local rate
Egypt	Yes	_	No camps	→ Similar
Syria	No	State-centred and strong	Open space	→ Similar
Jordan	No	State-centred and strong	Open space	→ Similar
Gaza Strip	No	Strong	Semi closed space	→ Slightly higher
West Bank	No	Relatively weak	Closed space	→ Higher
Lebanon	Yes	Very weak	Closed space	→ Higher

Table 1. Relation between the poverty rate, type of camp, and discrimination in the labour market

According to the various surveys conducted by Fafo in Jordan and Syria, ²⁴ the living conditions of Palestinian refugees outside the camps are not much different from that of the general population in the host country. ²⁵ The situation of refugees living in camps, however, is worse than that of those living outside camps, and this is true in every host country. This is confirmed by survey data presented in this report, which shows that camps are generally worse off than gatherings, in terms of poverty rates, food security, or educational achievements. However, it is worth pointing out that living conditions outside camps vary significantly. Households living in gatherings such as Zahriyeh in the North, Tareeq el Jedide in Central Lebanon Area (CLA), Dalla'a and Hay Zuhhour in Saida or Saadnayel and Taalabaya in the Bekaa are on average better off than households living in the camps. However, some gatherings, in particular in agricultural areas in Tyre, have households living in significantly worse conditions than those found in camps.

4. Legal and institutional discrimination

As mentioned in the introduction, social inclusion implies a state responsibility to provide basic rights and services to the populations living within its borders. While UNRWA provides health care, education, some relief, and social services as well as shelter and infrastructure services, in other domains Palestinian refugees remain excluded, in particular with regards to access to the labour market, the social security system and real estate market, these will be discussed below. However, before going into detail on in which domains increased social inclusion

²⁴ H. Zhang and Å. Tiltnes, Socio-Economic Assessment of Ein El-Hilweh Refugee Camp, Oslo, Fafo, 2009, available at: http://www.fafo.no/pub/rapp/949/949.pdf (last visited 16 Nov. 2011).

Actually, the difference in living conditions of the Palestinian refugees between those who are camp dwellers and those who are not is more important than what is mentioned in the Fafo surveys. We are basing our estimation here on our anthropological observations as well as statistics from the Syrian and Palestinian Central Bureaus of Statistics. Fafo usually conducted its surveys in the refugee camps or in Palestinian gathering sites. However, Palestinian refugees also live in cities, where they integrate with the local population, and where it is usually very hard to identify them. See Bhalla & Lapeyre, "Social Exclusion".

is desirable; it is worth elaborating in more detail on the domain of political inclusion. Lebanese vehemently oppose the naturalisation of Palestinians into Lebanese. Such *Tawteen* (naturalisation) is also strongly rejected by the Palestinians, who insist on their right to return to Palestine. The Lebanese position on return to Palestine is sometimes used to justify discriminatory policies against the Palestinian refugees, and their legal status even after 60 years remains that of foreigners. This has resulted in restrictive policies with regard to the social, economic, and civil rights of the Palestinians.²⁶

4.1. Tawteen as scarecrow

Tawteen is the scarecrow that has been used within sections of Lebanese society to generate public phobia against according civil rights to Palestinians. Indeed through editorials in key Lebanese newspapers (al-Nahar, al-Akhbar, al-Safir, and L'Orient-Le Jour), Lebanese political groups accuse each other of promoting Tawteen, an act tantamount to treason. For instance, the front-page headline of the Lebanese daily al-Akhbār, read on 2 July 2007 "The program of al-Barid Camp reconstruction is the beginning of Tawteen". Others (including religious authorities) consider the mere talk of the Palestinians' right to work as being the first step towards Tawteen. Any debate about civil and economic rights starts by affirming that the objective should not be Tawteen, to the point that initiatives on according long-term rights to Palestinians come to be substituted with short-term interventions on humanitarian or security grounds. We discuss below that the recent changes in labour regulations are no exception to this pattern. The only common ground between the various Lebanese political parties is the use of Tawteen as taboo.

Throughout this debate the individual Palestinian is invisible. The deployment of bio-politics by humanitarian organizations (regarding Palestinians as bodies to be fed and sheltered without political existence) is one end of the spectrum and the *Tawteen* discourse is the other end. For those participating in such a discourse, the Palestinians are mere figures, demographic artefacts and a transient political mass waiting for return. Between humanitarian discourse in the zones of emergency on the one hand, and the *Tawteen* discourse on the other, the rights-based and entitlement approach for the Palestinians not only as individuals and collectives, as refugees but also as citizen-refugees with civil and economic rights, as well as the right to the city, is lost.

Accounts from Palestinian camp dwellers in Lebanon show that they refer to themselves as the "forgotten people", feeling that they live in a hostile environment where basic human rights, including the right to work, have no effective means of representation or protection.

S. Hanafi, & Å. Tiltnes, "The Employability of Palestinian Professionals in Lebanon: Constraints and Transgression", Knowledge, Work and Society, 5(1), 2008, 127-150.

4.2. Small step towards the right to work

On 7 August 2010, after a lot of hesitation and heated debate between different Lebanese political parties, the Lebanese Parliament voted to approve a law, passed by Parliament. This law constitutes the lowest common denominator by which all political parties were essentially given a veto.²⁷

The amended text of Article 59 states:

[F]oreign workers/laborers have the same rights as Lebanese laborers upon being discharged from their work, based on the conditions of reciprocity policy; they have to obtain a work permit from the Ministry of Labor. Palestinian refugees, who are registered based on accords, at the Ministry of Interior Affairs and Municipalities (Directorate of Political and Refugees Affairs) are exempted from the condition of reciprocity and the work permit fees issued by the Ministry of Labor.²⁸

The amended text further states:

Palestinian refugee workers are exempt from the condition of reciprocity as stated in the Labor Law and Social Security Law, so as to benefit from the contributions of end of service indemnity conditions which Lebanese workers benefits from. Hereby, the Administration of the Social Security Fund should ascertain a separate independent account for the contributions belonging to Palestinian refugees' workers that does not bear the Treasury or the National Social Security Fund any financial obligation. Beneficiaries covered by the provisions of this law, do not benefit from the contributions of Sickness, Maternity and Family Allowances Funds.²⁹

It is important to note that, among Arab countries, only Lebanon treats Palestinian refugees as foreigners in terms of the right to work and to own property.

This law does not address the problem faced by Palestinian refugees: to be allowed to practice liberal professions, such as medicine, law, or engineering. In fact the amended law constitutes an institutionalisation of discrimination, barring the Palestinians to exercise more than 30 syndicated professions.³⁰ The restricted professions to which Palestinian refugees still have no access to are classified in two categories: first, those that are subject to the reciprocity clause (medical doctors, pharmacists, travel agents, news editors, hospital owners, insurance and re-insurance agents, topographers, engineers and architects, nurses,

F. Lamb, "Anyone Really Serious about Allowing Palestinians their Civil Rights?", Veterans Today, 23 Jul. 2010, available at: http://www.veteranstoday.com/2010/07/23/palestine-anyone-really-serious-about-allowing-their-civil-rights/ (last visited 6 Nov. 2011).

²⁸ Article 59, para. 3 of Art. 9 of the Lebanese Labour Law issued on 23 Sep. 1964.

²⁹ Palestinian Human Rights Organization (PHRO), Lebanese Restrictions on Freedom of Movement: Case of Naher El Bared, Report, Beirut, PHRO, 2010, available at: http://www.palhumanrights.org/NBC/ENG/ Freedom%20of%20Movement_ENG_web.pdf (last visited 5 Jul. 2011).

These professional associations, orders or syndicates required either Lebanese nationality or policy of reciprocity. This policy means that "stateless" Palestinians cannot be employed like other foreigners who belong to recognized States that can offer similar benefits to the Lebanese.

drug warehouse and medical laboratory workers, certified accountants, dentists, veterinarians, dental laboratory workers, physiotherapists, and teachers at all school levels); second, those that are restricted to Lebanese citizens (professions in the law, journalists, technicians, owners of tourist companies, managers of publishing companies, hairdressers, professions in currency exchange, real estate agents, taxi drivers or driving instructors, publishers, and printing presses). According to UNRWA and the International Labour Organization (ILO) assessments, this is unlikely to change in the near future. A pilot advocacy plan with the order of nurses is being proposed. The Lebanese order of nurses has indicated an interest to change the by-laws of its order since Palestinian nurses, due to their illegal status, undercut Lebanese nurses. If this is successful, it may be worth approaching orders of other professions facing similar unwelcome competition from illegally practicing Palestinians.

Concerning the inclusion of the Palestinian employees into the social security system, a special account from the National Social Security Fund (NSSF) will be set up to cover end-of-service indemnities, but no person under this law may benefit from family, illness, and maternity allowances. It is noteworthy that the exclusion of health insurance and family support were requests from both the Lebanese Government and the Palestinians.

The law so far is a legal reproduction of Minister of Labour Trad Hmadeh's Ministerial Decree (2005), which represents no *de facto* change to Palestine refugees, as evidenced by the fact that the number of work permits issued has hardly changed (see Table 2 below). ³¹ In fact, Palestinian refugees are only eligible to obtain a work permit if they can provide a valid work contract. The work permit issued by the Ministry of Labour is thus linked to a pre-existing work contract and expires with the end of the work contract for which the permit has been granted. In addition, work insurance is required (often paid by the employee rather than the employer). There has been a verbal commitment by the minister of labour to issue a decree allowing a fast track for Palestinian work permits, making them no longer conditional on an employers' contract. ILO is currently lobbying for these decrees to be implemented. An information campaign is also under way, aimed at Palestinian workers as well as their employers (Palestinian and Lebanese).

Table 2.	Work	permits	delivered	to	Palestinians	in	Lebanon ^a	
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	2003	2004	2005	2006	2007	2008	2009
First time					28	1	32
Renewal				225	113	220	67
Total	245	245	278	225	141	221	99

^aFor comparison, 145,684 work permits were issued in 2009 for Arab and foreign workers in Lebanon, including 45,619 new permits and 100,065 renewed ones. The number of domestic workers is estimated at 114,731, forming 79 per cent of foreign workers. According to estimates, worker who have permits (excluding the Syrian workers) form 50–60 per cent of Arab and foreign workers actually working in Lebanon. See Lebanese central Administration of Statistics: www.cas.gov.lb (last visited 16 Nov. 2011).

For comparison, the total number of given work permits to the foreign employees is 145,684 (2009).

There are two reasons why employers are not interested in officially employing Palestinians and issuing a contract making them eligible for a work permit. First, the employer needs to advertise in three newspapers to satisfy the Lebanese Labour office that Lebanese candidates have competed with the foreigner. Secondly, they will pay social security contributions without the employee being entitled to receive social security services (except in end of service indemnities according to the new law).

After this new law, Palestinian employees will remain dependent on ministerial decrees which can be reversed or amended. Consequently, the legal framework regulating Palestinian refugees' access to the Lebanese labour market lacks long-term certainty and predictability. The new law will fail to produce the desired impact of legalising Palestinian refugee's access to the Lebanese labour market.

It is virtually impossible to statistically assess the impact these restrictions have on Palestinian refugees, since, as shown above, most of the better educated Palestinians who may face restriction are in employment the alternatives to which are difficult to assess. If fewer labour restrictions improve the quality of employment Palestinians have access to, they may have some impact on living conditions. However, these impacts are difficult to isolate and quantify since Palestinian households face restriction in addition to those affecting labour.

4.3. Right to own property

Until 2001, non-Lebanese, including Palestinians, had the right to own property up to certain size.³² However, since 2001 Palestinian refugees cannot acquire property.

The Lebanese Parliament adopted an amendment (296 of 20 March 2001) to the existing Presidential Decree 11614, preventing Palestinian refugees from owning real estate in Lebanon.³³ The amendment, originally made to encourage foreign investment, excludes individuals who do not have a recognized nationality. The new law also prevents Palestinian refugees from bequeathing real estate, even if the property was acquired legally before 2001.³⁴

This consists of a maximum of 3,000 square meters in Beirut or 5,000 square meters throughout the rest of the country, based on a number of laws (Decree 15740 of 11 Mar. 1964, Law 59 of 1 Sep. 1966 and Decree 11614 of 4 Jun. 1969). Lebanese-Palestinian Dialogue Committee (LPDC), Lebanon and Palestinian Refugees: Policy Foundations and Milestones 2005-2009, Report, LPDC, 2010, available at: http://www.lpdc.gov.lb/getattachment/94d399a6-7c20-4d64-aa73-e24ac246750c/2005-2009.aspx (last visited 16 Nov. 2011).

³³ It is very interesting to see the exact wording of the law and the "irrational" justification: "No real right of any kind may be acquired by a person who does not carry a citizenship issued by a recognized state or by a person if such acquisition contradicts with the provisions of the Constitution relating to the prohibition of permanent settlement of Palestinians."

In practice, Palestinians resort to informal legal arrangements to purchase and register property. In order to obtain or bequeath property Palestinian refugees register real estate via a power of attorney, a written authorisation through which the Palestinian refugee gives permission to an agent (a Lebanese citizen or any other foreigner to whom the 2001 restrictions do not apply) to acquire property on his behalf. Many Palestinians who acquired property prior to 2001 have not registered it in order to avoid paying the additional taxes that non-Lebanese citizens were subject to when they purchase property in the country; see ibid., 29.

This situation has transformed an established, paralegal system, based on irrevocable powers of attorney serving as sales contracts, particularly in Nahr al-Bared Adjacent Area, into a contra legal system, based on the signing and registering of sales contracts with the Popular Committee with the witness of a notable from the community.³⁵ After the destruction of Nahr al-Bared camp and its Adjacent Area, there are anecdotes of ex-landowners in the Adjacent Area demanding payment from Palestinian de facto owners to accept registering the land, again, demonstrating the vulnerability of Palestinians in Lebanon.

The extreme difficulty to own property outside refugee camps has squeezed subsequent generations of Palestinian refugees in the confined space that are refugee camps, transforming these areas to slums. The difficulty to supply construction materials for building extensions inside the camp further aggravates this situation (see below for a more extensive discussion).

In contrast to the Lebanese case, Jordan allows unlimited real estate ownership to Palestine refugees, while in Syria property ownership is restricted to one apartment and one economic asset.

4.4. Mobility and provision of construction materials

The Lebanese Army has declared the Nahr el Bared refugee camp and adjacent area as military zones since the end of the conflict in 2 September 2007. Visitors without Lebanese nationality are asked to apply for permits with the Lebanese Army. Foreign visitors are asked to apply for permits with the Lebanese Army before entering Palestinian refugee camps in southern Lebanon (Al-Buss, Al-Rashidiye, Bourj al-Shemali, Ein El-Helwe, and Mieh-Mieh camp). Palestinians, as well as other foreigners, need to apply for permits with the Lebanese Army to cross into the area monitored by UNIFIL in the South. The PHRO considers that there is no reason to keep the regime of permit hindering the mobility of the Palestinians. The impact of this system tremendously affects individual mobility and business. According to Zhang and Tiltnes, Check-points hamper business activity: customers and suppliers stop coming from outside and the population suffers long waiting periods to enter.

Regarding the transportation of construction materials into Palestinian refugee camps, there are no legal restrictions in place, but restrictions function on an administrative basis and only apply to camps in the south of the country and to

Nizar & Rana Saghieh, Legal Assessment of Housing, Land and Property Ownership, Rights, Transfers, and Property Law related to Palestinian Refugees in Lebanon, Report, Oslo, Norwegian Refugee Council, 2007, 10.
See also the excellent analysis of those two authors concerning the imbroglio in Nahr al-Bared Adjacent Area.

³⁶ This restriction has been eased recently (1 Jul. 2011) for Palestinian women and children. A mobility permit is not required for them.

³⁷ *Ibid.*, 39.

PHRO, Position Paper on the Law adopted by Lebanese Parliament on 17 August 2010 regarding Palestinian Refugee's Right to Work and Social Security, position paper, Beirut, PHRO, 2010, available at: http://www.pal-humanrights.org/var/Position%20Paper%20-RTW%20and%20Social%20Security%20Amended%20Laws.pdf (last visited 6 Nov. 2011).

³⁹ Zhang & Tiltnes, Socio-Economic Assessment of Ein El-Hilweh Refugee Camp.

Nahr el-Bared. Camp dwellers have to apply for a permit, to be granted by the Army. However, in some camps, it seems that smuggling of construction material is rife.

5. Current employment situation of Palestinians

Unemployment among Palestinians, in the strict sense of the ILO's definition (i.e. the ratio of those actively looking for work over those in the labour force) reaches 8 per cent among refugees. This rate is similar to that of the Lebanese population in recent years. However, this unemployment definition overlooks refugees who are discouraged workers, meaning those who are not actively looking for a job. In fact, joblessness, defined as the ratio of persons of working age who are not studying, pregnant or ill, reaches 56 per cent among refugees. Moreover, only 37 per cent of the working age population (between 15- and 65-years old) is employed, which is very low by international standards. The employment rate does not differ significantly across regions. All of this implies a high prevalence of discouraged workers among refugees, mostly due to the lack of access to the local job market given the prevalent discrimination in the employment regulations. Moreover, employed people changed jobs on average 0.56 (confidence interval 0.35–0.77) times in the past six months. This shows the fragility of their employment.

Those with a job are often in low status, casual, and precarious employment. Our survey shows that 21 per cent of employed refugees work in seasonal employment, and only 7 per cent of those employed have a contract. Very few have a second job (3 per cent) indicating the scarcity of even low quality employment.

Seventy-two per cent of Palestinian workers are occupied in the private services sector (excluding governmental, NGO, health and educational services). Seventeen per cent work in construction, 7 per cent in agriculture and 3 per cent in industry. In Lebanon, 8 per cent work in construction, 15 per cent in industry, 6 per cent in construction and 71 per cent in services. Figure 1 and Table 3 show the distribution of the Palestine refugee workforce according to sector and region. It is noteworthy that nearly a quarter of workers in Tyre are occupied in the agricultural sector. Indeed, 87 per cent of all agricultural workers live in Tyre. Construction on the other hand is an important sector in the North, employing a quarter of the workforce. Palestinians employed in agriculture are more likely to be poor than those employed in other sectors.

The sector of employment is closely related to occupational status, indeed 98 per cent of agricultural workers work in elementary occupations. Similarly, 94 per cent and 98 per cent of those employed in industry and construction respectively work as craft and related trade workers or machine operators. Conversely, 73 per cent of those employed in education or health care are working in higher status occupations as professionals, senior officials and managers. Seventy-six per cent of government or NGO employees work as technicians, associate professionals or clerks. The "other services" category is more mixed, with 43 per cent or workers occupied in crafts or machine operation and 31 per cent as service and sales workers.



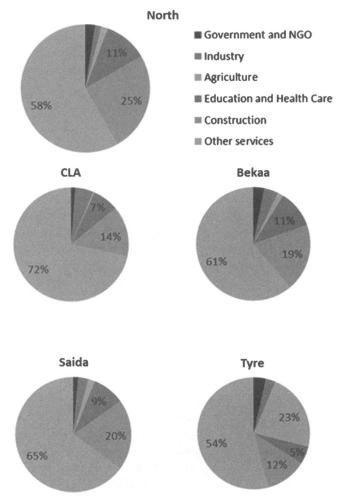


Table 3. Occupation by region

	Professionals, senior officials and managers (%)	Technician, associate professionals, clerks (%)	Service workers sales workers (%)	Craft and related trade workers; machine operators (%)	Elementary occupations (%)
North	15	5	16	46	19
Central Lebanon Area	13	4	20	52	11
Saida	13	4	15	49	19
Tyre	5	5	12	37	41
Bekaa	15	4	18	51	13
Total	11	5	15	46	23

Most Palestinians work as craft and related trade workers or machine operators (46 per cent), a quarter works in elementary occupations, while 15 per cent work as service and sales workers, 11 per cent as senior professionals and managers and 5 per cent as associate professionals and clerks. As for Lebanese, 16 per cent work as craft and trade workers, 8 per cent work in elementary occupations, 12 per cent work as service and sales staff, 22 per cent as professionals and managers and 17 per cent as associate professionals and clerks. Note that these categories are not entirely comparable between Lebanese and Palestinians, therefore these data should constitute a guideline.

Mirroring the previous sectoral analysis, it is unsurprising that Tyre is the region with the highest share (41 per cent) of workers in low status or elementary occupations. The proportion of workers in elementary occupations exceeds the national average in all locations, camps and gatherings, surveyed in Tyre region, except of Al Buss Camp. Half of all workers in elementary occupations live in Tyre and a third are concentrated in Rashidiyeh and Burj el Shemali Camps. In Qasmiyeh 83 per cent of workers work in elementary occupations and 51 per cent do in Chabriha. Rashidiyeh Camp is the camp with the highest proportion of workers in elementary occupations (46 per cent). Outside Tyre, NBC in the North, Shatila Camp and Jnah in CLA as well as Taameer and Villat outside Ain el Helweh Camp in Saida all have more than a quarter of workers in elementary occupations.

The North and Bekaa have the highest share (15 per cent) of high status employment, namely professionals, senior officials and managers, while in Tyre region only 5 per cent of workers fall into that category. Indeed, gatherings in the North (Zahriyeh 36 per cent), CLA (Tareeq el Jedide 28 per cent) and Saida (Dallaa, Hay Zuhour 30 per cent) have the largest share of workers in high status employment, while Wavel Camp (14 per cent) is the camp with the highest share of professionals.

Occupation, more than employment itself, has a strong impact on poverty and people working in elementary occupations are more likely to belong to the working poor than those working in other professions.

5.1. Employment and gender

A key element in explaining the low employment rate is the fact that few women work. Indeed only 13 per cent of women between the ages of 15 and 65 are employed compared to 65 per cent of men. Indeed, Women make up only about 18 per cent of the currently employed workforce.

⁴⁰ UNDP and Central Administration of Statistics Lebanon, Living Conditions of Households 2007, Report, Beirut, UNDP, 2007, available at: http://www.undp.org.lb/communication/publications/downloads/Households_Living_conditions_2007.pdf (last visited 6 Nov. 2011).

Distribution Distribution Women of men (%) of women (%) headcount (%) Professionals, legislators, senior officials 8 15 38 and managers Technicians and associate professionals, clerks 3 11 53 16 24 33 Service workers and shop and market sales workers 49 27 15 Craft and related trade workers; plant and machine operators and assemblers Elementary occupations 24 22 23 100 100 24 9 Agriculture 8 23 Industry 4 1 11 21 6 Construction 9 50 5 14 Education and Health Care Government and NGOs 2 2 29 Other services 59 68 28 Total 100 100 24

Table 4. Employment by gender

If women work, they generally do in high status employment. Indeed, slightly more than a quarter of working women do so as professionals, senior officials and managers or technicians, associate professionals and clerks (Table 4). While only a little more than 10 per cent of men work in these occupational categories. Conversely, three quarters of men work in crafts, as related trade workers or machine operators as well as in elementary occupations while only slightly more than a quarter of women do. However, due to the fact that more men work than women, most occupational sectors are dominated by men. Exceptions are technical, associate professional or clerical occupations, where more than half of all workers are women. This may be due to the fact that these occupational categories are composed of feminised professions such as secretaries, care workers or school assistants. In contrast, women make up as little as 15 per cent in crafts, related trade and plant operating professions, probably because these involve manual, physically strenuous work.

Similarly, certain sectors of employment are feminised. More than two thirds (68 per cent) of women work in "other services" and 14 per cent in health care and education, compared to 59 per cent and 5 per cent of men respectively. Half of the workforce in health care and education is female. Conversely, very few women work in industry and construction. Interestingly the share of men and women working in agriculture is very similar (men: 9 per cent, women: 8 per cent).

5.2. Linking employment and education

Those with better education are more likely to be employed. Indeed around two thirds of those 23 and 65 years old with a vocational or university degree are employed. Compared to less than 40 per cent for those with educational levels of

Brevet or lower or 44 per cent for those in that age group that only hold the Baccalaureate (Table 5, first column). This indicates that continued education increases chances for employment. Passing the Brevet and Baccalaureate respectively opens access to further education which increases employment opportunities. As will be discussed below, Baccalaureate pass rates are already good, improving Brevet pass rates and facilitating access to university and vocational schools are likely to enhance the employment prospects of Palestine refugees in Lebanon.

Table 5. Employment and education level

	Employment rate (23–65 years) (%)	Professionals and associate professionals (%)	Service workers sales workers (%)	Craft and related trade workers (%)	Elementary occupations (%)
Never at school	39	7	16	45	32
Completed primary	40	12	16	4 7	26
Brevet	38	13	23	49	16
Baccalaureate	44	35	20	34	11
Vocational degree	70	36	22	27	15
University degree	63	70	8	12	9

Employment rates for women who attended further education are also higher, half of women with a university degree work and 43 per cent of those with a vocational degree do.

Employment, in particular occupational status, is closely linked to education (see Table 5, last 4 columns). Better education is significantly linked to higher status employment. Of those with a university degree, 70 per cent work as professionals or associated professionals. Those with a Brevet or less work mainly in crafts and elementary occupations. Table 4 shows that though vocational training increases the chances of employment, university degrees lead to higher status employment, explaining the observed preference of Palestinian students of academic inclinations for university courses rather than vocational training courses. However, many professions that an academic education leads to, are barred for Palestinians.

6. Conclusion

This article showed a multi-dimensional social exclusion that the Palestinians in Lebanon face. However, our focus on the labour market has shown that the problems faced by Palestinians in the Lebanese labour market are twofold: first, Palestinians are underemployed and too few are looking for work, secondly, much of the employment available to Palestinians is of low status, precarious, and insufficient to lift them out of poverty.

The first aspect of the problem, un- and under-employment, is likely to be a consequence of the macro-economic conditions found in Lebanon at large,

where, fuelled by external capital inflows, the construction and services sectors are booming. This pushes up wages across the economy, leaving the agricultural and industry sectors uncompetitive. Unable to affect the macro-economic environment in Lebanon, the only option UNRWA has and already exerts is to include employment aspects in its programming: that is to oblige contractors to hire Palestinians and as an organization, prefer to hire Palestinians over Lebanese with similar qualifications. In effect, most of UNRWA is staffed by Palestinians and the shelter rehabilitation program obliges contractors to hire Palestinians. In the North, however, this has mixed success, where contractors are unable to find Palestinians to work for LL20,000 (US\$ 13.3) a day, a salary which is too low to lift a household out of poverty.

Unemployment can also be a matching problem, where employers do not find employees with the required skill set. Indeed, Lebanese evidence shows that elements such as geography influence a candidates' ability to find jobs and candidates from Beirut on average find employment twice as quickly as their counterparts from the Bekaa. In this respect, UNRWA employment centres, two of which currently exist in the North, may help matching skills to job openings. This survey does not constitute a labour market study and contains no information on employer preferences; it is therefore difficult to assess their needs and to what extent they would use these centres to fill vacancies. What employment centres could do is to disseminate information about available openings and encourage more Palestinians to actively look for work. Moreover, more employment centres should be opened where unemployment is the highest, like in the Tyre region for instance.

An administrative hurdle faced by Palestinians is the application for a work permit. After many months of ILO and UNRWA lobbying for alleviating some of these hurdles, on 21 February 2011, the minister of labour issued decrees allowing a fast track for Palestinian work permits, making them no longer conditional on an employer's contract.

The second challenge faced by Palestinians in the Lebanese labour market is the fact that much of the employment available to Palestinians is low status. High status employment was more prevalent among those with a vocational degree and even more so with a university degree. Broadening access to these through scholarships, as is already been done, and vocational training courses, which are also already run by UNRWA, might increase the number of Palestinians in high status employment.

Opening access to liberal professions is another aspect of making high status employment available to Palestinians and should be part of Palestinian civil society's, political factions' as well as UNRWA's lobbying effort. In addition of lobbying the Lebanese Government directly, it may be beneficial to survey each of the restricted professions individually. Results from the pilot advocacy

J. Chaaban, "The Impact of Instability and Migration on Lebanon's Human Capital", in N. Dhillon & T. Yousef (eds.), Generation in Waiting: The Unfulfilled Promise of Young People in the Middle East, Brookings Institution Press, 2009.

plan with the order of Lebanese nurses (conducted by UNRWA) currently under way should inform the lobbying strategy.

In addition to restrictions in the labour market, Palestinians also face restricted mobility and are not allowed to acquire or bequeath real estate. In terms of mobility, liaising with the Lebanese army and Internal Security to lighten security restrictions especially around Nahr el Bared and Ain el Helweh could have significant impacts on livelihoods. Camps have the potential of becoming commercial centres for the not so well off as the pre-destruction example of Nahr el Bared as well the markets around Sabra and Shatila show, yet easy access is a pre-condition for that.

As for property, a compromise similar to that existing in Syria allowing property ownership restricted to one apartment and one economic asset may be reached and ease pressure on the camps and allow for inter-generational wealth transfer.

In conclusion, it should be emphasised that the main problem Palestinians face in Lebanon remains the protracted mode of legal exclusion they suffer from. This affects their capability to access the labour market and to improve their livelihoods. The Lebanese State until now has dealt with this problem first as a security issue, controlling access to camps and limiting the freedom of refuges out of security concerns. With the increasing pressure from NGOs and the international community, the Lebanese Government has recently started shifting from its security-based approach to address social exclusion of refugees, yet only from an outcome, not a process perspective. This is clearly still not enough, as the Lebanese official policy towards protracted refugees needs to aim for more social inclusion of all long-term resident foreigners on Lebanese soil. Similar to most developed countries, Lebanon should enact a holistic policy that caters to the human rights and dignity of all residents in the country, not only its citizens.