

Fact sheet

Promoting the right to work for Palestinian Refugees in Lebanon through the UPR 23rd session



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Association Najdeh

Association Najdeh is a women's NGO envisaging a Palestinian community enjoying national and human rights, social justice and equality between women and men. It is registered in 1978 as a Lebanese non-governmental organization with the headquarters in Beirut.

Najdeh aims at empowering Palestinian refugee women in Lebanon, by providing them with the necessary tools to have access to social, educational, economic, and political equal rights. Thus, women will be able to contribute to the sustainable development and social justice of the Palestinian refugee community in Lebanon. In addition, Najdeh believes in advocating for the women's and Palestinian refugees rights, regionally and internationally.

All Najdeh workers, permanent, contractual and volunteers are responsible for promoting respect of human, child and women's rights, social justice, as well as gender equality. They are committed to respecting human dignity and to give equal value for all people without discrimination. These values guide their behavior regardless of prevailing official and social practices that may contradict them.

Scio- Political Context:

Despite their longstanding presence in Lebanon, Palestinian refugees remain excluded from key aspects of social, political and economic life in the country. They are neglected and deprived access to any human rights, including access to work and practicing regular jobs. An improvement of the living conditions of Palestinians is needed along with exempting them from the labor laws and procedures that have hitherto restricted their access to jobs. Palestinians in Lebanon have over the years become more dependent on services and assistance provided by UNRWA, that are threatened to be stopped, and other local and international NGOs.

During the first half of 2005, in a participatory approach and with the involvement of more than 100 local NGOs and stakeholders, as well as community initiatives working among Palestinian and Lebanese Communities, AN has launched the "Right to Work Campaign-RtWC". Cooperation between all national and local initiatives advocating for Palestinians' right to work, own properties, easing access of Palestinians to work, etc are in the sole of the RtWC approach and activities.



The Right to Work Campaign

The right to work campaign objective is to “Enabling Palestinian refugees in Lebanon of practicing their right to work and to be treated equally with Lebanese”. Palestinian refugees in Lebanon have no access to official jobs due to their refugee status, exclusion from Lebanese labour law, from obtaining work permit and from Lebanese reciprocity law.

RtW Campaign specific objectives:

- Amend and / or change discriminatory laws and procedures in the Lebanese labor law and the laws of the liberal professions unions.
- Submit projects to the Lebanese Parliament to abolish discriminatory work laws and procedures toward the Palestinians
- Adopting the issue of the right to work for Palestinian refugees in Lebanon in the Lebanese official discourse, including in Parliament
- Mobilize Palestinian and Lebanese public opinion to support the efforts on the right to work for Palestinian refugees in Lebanon.

Campaign strategy:

To achieve its vision and objectives, the RtWC follows the below strategies:

- Mobilization: of national, Local and public communities and opinion, as well as policy makers and national, regional and international levels.
- Networking and coordinating with civil society, community and national, initiatives, campaigns and coalitions.
- Changing legislations throughout drafting and submitting projects to the Lebanese decision and policy makers and legislative bodies
- Media Usage: local, regional and international, visual printed and audio, and social media
- Usage of Arabic, regional and international mechanisms
- Produce educational and media materials such as; documentary films, leaflets, manuals, , etc ...
- Researching and studies on the contribution of Palestinians in the Lebanese economy and other work sectors, as well as on the discrimination and violation of right to work of Palestinian refugees in Lebanon. .
- Capacity building of the campaign coalition, its youth committees, and other involved and members and NGOs in the campaign.

Campaign working areas:

- Palestinian – Lebanese coalition represent a large number of civil society throughout coordination and central committees in all areas and the in Palestinian camps
- Conducting wide range of grass-roots and policy mobilization and awareness raising activities such as, demonstrations, marches, workshops, seminars with university



students and conversational media, round tables with (embassies, decision makers, academics, economists, unionists, journalists, political parties and forces and other actors), focus groups, interactive theaters and youth actions in all regions in Lebanon

- Issuing and distributing of educational and media materials poster, brochure, film, memo, studies and researches
- Conduct local and international lobby meetings, with embassies, stakeholders, Palestinian and Lebanese official, as well as international bodies, institutions and organizations
- Coordinate with other Palestinian and Lebanese CBOs, CSOs and campaigns, and organize joint actions
- The RtWC target also Lebanese and Palestinian youth at schools, universities and institutes to mobilize them and support the campaign



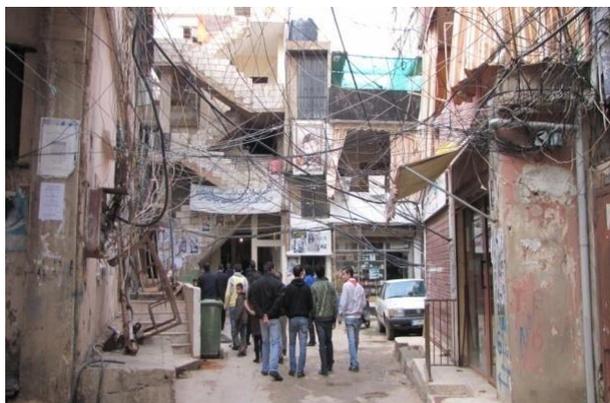
Beneficiaries of Campaign's activities in 2014 and Sep. 2015

2014						
Kind of activity	Females	Males	Leb.	Pal.	Other nationality	Total
Work shops	144	80	42	175	7	448
Seminars	166	135	110	166	25	602
Round tables	67	73	12	115	13	280
Total	377	288	164	456	45	1330

2015						
Kind of activity	Females	Males	Leb.	Pal.	Other nationality	Total
Work shops	76	33	78	31	–	218
Seminars	111	65	132	37	7	352
Round tables	22	16	12	16	10	76
Total	209	114	222	84	17	646

Back ground information on Palestinian refugees in Lebanon:

According to UNRWA figures, the number of Palestinian refugees is 425,000. They are mostly the descendants of those who forced fleeing violence from Palestine in 1948. More than half of the refugee population (62%) lives in camps as compared to 38% living in gatherings, mainly in camp vicinity. Two thirds of Palestine refugees are poor, which equates to an estimated 160,000 individuals. The poverty rate is higher in camps than in gatherings, nearly three quarters of camp residents are poor while slightly more than half of gathering residents are poor.



Palestinians in Lebanon are classified as foreigners by the Lebanese laws and procedures—despite the fact that many were born in Lebanon and have lived there for more than sixty years – and they face systematic discrimination. They are barred from working in almost all of liberal professions, forcing skilled people to take menial and low wages. Unemployment rates are high, trapping most refugees in poverty.

Palestinian Refugees in Lebanon (PRL) suffer from (a) ambiguous legal status and absence of protection; and (b) violations of their right to work, own property, adequate housing, health, fair trial, freedom of association, opinion and expression and freedom of movement, accommodation and travel. Over the last 67 years, the ambiguous legal status and absence of protection for PRL has direly affected their wellbeing. Furthermore, numerous legal restrictions have hindered the enjoyment of their civil and socio-economic rights.

The Legal Status of Palestinian Refugees in Lebanon:

Lebanese legislation still does not clearly define Palestinian refugee's (PR) legal status. PR are administratively divided into three categories: (a) Refugees registered with the Ministry of Interior and Municipalities (MIM), within the Department of Political Affairs and Refugees (DPAR) and with the Relief and Works Agency for Palestine Refugees in the Near East (UNRWA); (b) Refugees Registered in the (DPAR) but not registered with UNRWA; and (c) Refugees not registered with either (Non IDs). A fourth category was added because of the Syrian Civil War which forced PR to flee from Syria to Lebanon – Palestinian Refugees from Syria (PRS).

The four categories of PR suffer from all forms of discrimination. The PRS legal status has not defined and there is no obligatory legal framework which ensures their protection by the government or UNRWA. Consequently, they are subject to numerous violations of their civil and socio-economic rights.

Update information on access to work

On June 2005, Lebanese Minister of Labor issued a memorandum No. 67/1 allowing Palestinian refugees to obtain work permits for some irregular jobs that are not organized by liberal Unions and Syndicates and that were previously difficult to obtain. But the memorandum barred them from practicing more than 30 professions. Few Palestinians have benefited from the 2005 labour ministerial decree. While this was a positive development, it has not had a tangible impact and improvement on Palestinian employability and socio-economic situation.

Work permits are not perceived as necessary and are not required by most of occupations performed by Palestinian refugees; fewer than 2 per cent of Palestinian refugees have acquired a work permit since 2010. Most are engaged in irregular occupations that do not need work permits and many remain unaware of the procedures for regularizing their status, however, these figures should be considered in comparison of how many Palestinians applied for work permits and were refused, these figures are missing.

year	1999	2001	2003	2005	2006	2009	2014
No' of work permits issued for PR	350	315	245	272	182	261	?
No' of work Permits issued to non - Lebanese	18000	?	?	?	?	145679	?

It is worth mentioning that Palestinians who obtained work permits are exempted from benefiting from the NSSF services.

In August 2010, the Lebanese Parliament amended labor and social security laws to facilitate and ease access of Palestinians to work. The memorandum of the Lebanese parliament was considered by the majority of Palestinians as a minor a positive step, which is not enough to improve their socio-economic conditions and employability. At another level, the memorandum

: a- excluded all liberal jobs that are organized by unions and syndicates such as engineering, lawyer, doctor, nurses, and etc. , b- Palestinians irregular workers continued to be considered and treated as foreigners which not apply to them since they are refugees with special status, c- obligation to obtain work permit and employer guarantee, , d- whereas the amended Social Security law allows Palestinians to enroll in NSSF, in fact it requires employers and Palestinian employees to pay the full coverage of NSSF fees including the illness and maternity funds and the family indemnity charges whilst they (Palestinian employees) benefit only from the end of service, excluding them from enjoying the benefits of coverage for illness and maternity rendering the registering of Palestinian refugees in the National Social Security Fund unjustly burdensome.

Despite amending Article 59 of Labour Law 129/2010 and Article 9 of Social Security Law 128/2010, it has not published any of the Council of Ministers' (COM) amendment decisions. Thus the implementation of these laws remains subject to decisions by consecutive labour ministers.

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

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

Article 9 of Social Security Law 128/2010 was amended and cancelling the condition of reciprocity. However, the current law still deprives PRL workers from social security services and familial benefits; including maternity benefits, which negatively affects working PRW. Despite the Social Security Law stating that every worker is subject to the payment of all fees (23.5% of the value of salary), PRL do not benefit except from the end of service indemnity (equivalent to only 8.5% of the paid value). Consequently, PRL are forced to pay for private health insurance, which places an additional financial burden on them and their employers. This reduces the willingness of employers to hire PRL. As a result, many PRL workers are forced to accept harsh working conditions, low wages and no legal protection.

The fear and anxiety of Palestinian resettlement in Lebanon affected greatly the Lebanese perspective towards their uninvited Palestinian “guests”. Under the pretext of preserving the Palestinian national right to return to their homeland, the Lebanese government adopted a policy that denying Palestinians from all their human rights (civil, economic, social...). In spite of the fact that Palestinians themselves never wanted to stay in Lebanon as refugees nor ever sought naturalization, the Lebanese government continued using this excuse as a justification for its discrimination and injustices policies.

The development conditions of Palestinian refugees are very much linked to their employment statuses. The lack of access to fair opportunities and decent work is exacerbating the vicious cycle of impoverishment and precarious conditions that Palestinian endure. The employment conditions of Palestinian refugees reflect the discrimination they are subject to at the workplace. Thus we recommend the Lebanese Government to:

- 1- Amend Law 129/2010 in terms of terminating the working permits and granting PRL the right to practice “Liberal professions”, and issue COM decrees to ensure implementation of the law.**
- 2- Amend laws and by-laws that regulate syndicate professions to be in harmony with labour law and in terms of completing abolition of reciprocity as well as abolish conditions for practicing the profession in the country of origin.**
- 3- Amend Law 128/2010, so as to allow PRL workers to enjoy their full rights in social security, and guaranteeing maternity benefits to employed PRW and issue COM decrees to ensure implementation of the law.**