



LEBANON

SUBMISSION TO THE UN COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS

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AMNESTY
INTERNATIONAL



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INTRODUCTION

Amnesty International submits this briefing in advance of the examination of Lebanon by the United Nations (UN) Committee on Economic, Social and Cultural Rights during its 59th session in September 2016.¹ This examination provides an opportunity to review Lebanon's progress since its last review in 1993 in implementing, both in law and practice, the provisions of the International Covenant on Economic, Social and Cultural Rights (ICESCR).

In this briefing Amnesty International highlights the situation of refugees in Lebanon and the violations they face in relation to economic, social and cultural rights. In particular, it focuses on legal restrictions imposed by the government of Lebanon on Syrian refugees and Palestinian refugees from Syria which violate their rights to an adequate standard of living and to the highest attainable standard of physical and mental health and also result in increased risk of violence and exploitation of refugee women. It also highlights ongoing concerns about discriminatory treatment of Palestinian refugees who are long-term residents of Lebanon. However, it is important to note that the concerns listed here are not exhaustive of the many ongoing challenges faced by these and other refugee groups or of Lebanese nationals in the country.

This document draws on Amnesty International's ongoing research, including four reports published between 2014 and 2016 and submissions to the Universal Periodic Review in November 2015 and the UN Committee on the Discrimination of All Forms of Racial Discrimination June 2016.² It also draws on regular contact with local and international non-governmental organizations, UN agencies and the Lebanese authorities, among other sources.

BACKGROUND: REFUGEES FROM SYRIA IN LEBANON

Over 4 million people have fled Syria since the start of the crisis in 2011.³ Lebanon hosts over 1.03 million Syrians who are registered with the UN Refugee Agency, UNHCR.⁴ This means that Lebanon has more refugees per capita than any other country in the world.⁵ According to UNHCR data, 53% of all Syrian refugees in Lebanon are children (27.1% boys and 25.9% girls). Women over 18 years of age make up 25.9% of the refugee population and 21% are men over 18.⁶ Refugees from Syria live throughout Lebanon in over 1,700 localities.⁷

¹ See also Amnesty International submission to the UN CERD, AI Index: EUR 45/1793/2015, 29 June, 2015, <https://www.amnesty.org/en/documents/eur45/1793/2015/en/>

² Amnesty International, *"I want a safe place": Refugee women from Syria uprooted and unprotected in Lebanon*, (Index: MDE/3210/2016), February 2016, available at: <https://www.amnesty.org/en/documents/mde18/3210/2016/en/>; Amnesty International, *Agonizing choices: Syrian refugees in need of health care in Lebanon*, (Index: MDE/18/001/2014), May 2014, available at: <https://www.amnesty.org/en/documents/MDE18/001/2014/en/>; Amnesty International, *Denied refuge: Palestinians from Syria seeking safety in Lebanon*, (Index: MDE/18/002/2014), July 2014, available at: <https://www.amnesty.org/en/documents/MDE18/002/2014/en/>; Amnesty International, *Pushed to the edge: Syrian refugees face increased restrictions in Lebanon*, (Index: MDE/24/1785/2015), June 2015, available at: <https://www.amnesty.org/en/documents/mde24/1785/2015/en/>; Amnesty International Submission to the Universal Periodic Review, Lebanon, November 2015; Amnesty International Submission to the United Nations Committee on the Elimination of All Forms of Racial Discrimination, Lebanon, June 2016.

³ UNHCR, *Syria Regional Refugee Response, Inter-agency information sharing portal*, last updated 19 January 2016, available at: <http://data.unhcr.org/syrianrefugees/regional.php>

⁴ <http://data.unhcr.org/syrianrefugees/country.php?id=122>, figures last updated 30 June 2016

⁵ UNHCR, *Syrian Refugees, Inter-agency regional update*, September 2015, p. 2, available at: <http://data.unhcr.org/syrianrefugees/download.php?id=9617>

⁶ UNHCR, *Syria Regional Refugee Response, Inter-agency information sharing portal*, Lebanon, last updated 30 November 2015, available at: <http://data.unhcr.org/syrianrefugees/country.php?id=122>

⁷ UNHCR, *Refugees from Syria: Lebanon*, March 2015, p. 2 available at: <https://data.unhcr.org/syrianrefugees/download.php?id=8649>

The government of Lebanon maintains that the country cannot be one of permanent settlement for refugees. It has not ratified the 1951 Convention Relating to the Status of Refugee or its 1967 Optional Protocol and does not formally recognize those fleeing Syria as refugees. Instead it refers to them as 'non-Lebanese' or 'displaced'.

Before the start of the crisis in Syria in 2011, there were around 500,000 Palestinian refugees registered with the United Nations Relief and Works Agency (UNRWA), the agency responsible for Palestinian refugees in Syria. There are also around 450,000 Palestinian refugees registered with UNRWA in Lebanon, many of whom have lived there for decades or were born in Lebanon.⁸ Assistance and protection of Palestinian refugees come under UNRWA's mandate.⁹ Since the start of the Syria crisis, Palestinians from Syria have fled to Lebanon along with Syrians. UNRWA figures show that there are over 44,000 Palestinian refugees from Syria living in Lebanon in 12,735 households.¹⁰

The UN reports that one fifth of Syrian refugee households are headed by women. For Palestinian refugees from Syria, women head almost one third of households.¹¹ Some refugee women who are heads of their household in Lebanon are widows, some are divorced and some have husbands who have either stayed in Syria or have sought asylum in other countries. Others have husbands who are missing, forcibly disappeared or detained in Syria.¹²

INADEQUATE INTERNATIONAL SUPPORT FOR REFUGEES

The government of Lebanon has acknowledged that the number of refugees it is hosting places "the country's infrastructure and limited resources under considerable strain".¹³ The international community has failed to provide adequate funds to support refugees in the main host countries. The UN-led humanitarian response is grossly underfunded. At the end of 2015, the UN had only received 57% of the funds it requested for its 2015 work to support refugees in Lebanon.¹⁴ As of 10 June 2016, the UN had received 30% of the funds it needs for 2016.¹⁵

In response to the funding shortage, the UN has cut the numbers of refugees receiving its support and the amount of assistance provided. The impact of the reduction in assistance and services is discussed in more detail in the sections on Right to Food, Inadequate Housing and Right to Health.

⁸ Figures from the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), available at: <http://www.unrwa.org/where-we-work/syria> and <http://www.unrwa.org/where-we-work/lebanon>. Jordan, Gaza and the West Bank also host Palestinian refugees.

⁹ Palestinians cannot obtain assistance from UNHCR in areas where UNRWA operates, including Lebanon.

¹⁰ UNRWA, *Profiling the Vulnerability of Palestine Refugees from Syria Living in Lebanon 2015*, pp. 11-12, http://www.unrwa.org/sites/default/files/final2_6_october_final_version-_profiling_the_vulnerability_of_prs_in_lebanon_-_assessment.pdf

¹¹ UNHCR, *Vulnerability Assessment of Syrian Refugees in Lebanon 2015*, December 2015, p. 12, available at: <http://data.unhcr.org/syrianrefugees/download.php?id=10006>. UNRWA reports that 29.66% of 12,735 Palestinian refugee households are headed by women. UNRWA, *Profiling the Vulnerability of Palestine Refugees from Syria Living in Lebanon 2015*, pp. 11-12.

¹² Amnesty International interviews with refugee women from Syria and with NGOs working with refugees, June and October 2015, Lebanon. Amnesty International's research in Syria shows that 95% of people detained by the government or subjected to enforced disappearance are men.

¹³ *Lebanon Combined eighteenth to twenty second periodic reports*, para 27.

¹⁴ UN *2015 Regional Refugee and Resilience Plan (3RP), Funding Requirements (Lebanon)*, last updated 29 December 2015, available at: <http://data.unhcr.org/syrianrefugees/country.php?id=122> The UN's work across the region under its Regional Refugee and Resilience Plan for refugees from Syria and host communities was only 58% funded at the end of 2015.

¹⁵ UN Funding Requirements 2016, available at: <http://data.unhcr.org/syrianrefugees/country.php?id=122>

NON DISCRIMINATION, EQUALITY AND ECONOMIC RIGHTS OF REFUGEES IN LEBANON – ARTICLES 2 AND 3

GOVERNMENT-IMPOSED BARRIERS TO REGULAR STATUS FOR REFUGEES IN LEBANON

There are increasing restrictions imposed by the government of Lebanon on refugees from Syria. In January 2015 the government introduced new criteria for all Syrians applying to renew their residency permits. Barriers to renewing residency include cost, difficulties in obtaining a “housing pledge”¹⁶ from their landlord, difficulties in finding a Lebanese sponsor and difficulties in demonstrating adequate funds to support themselves. In July 2016 the government lifted a requirement for Syrian refugees renewing their residency to make a ‘pledge not to work’ if they do not have a sponsor.¹⁷ However, the change has not been publicised so refugees do not know about it and it is not clear whether those who were previously required to find a sponsor will now be able to renew their residence permits without one.¹⁸ The procedures remain so onerous and expensive that it is extremely difficult for people to meet the requirements.¹⁹ More details about the ‘pledge not to work’ can be found in the section on ‘Right to Work and Right to Just and Favourable Work Conditions’.

The government of Lebanon introduced restrictions on Palestinian refugees from Syria earlier than it did for Syrian refugees. Palestinian refugees from Syria started being denied entry to Lebanon from August 2013 and began to have more difficulties in renewing their residence permits from around May 2014.²⁰ There are no officially published guidelines on the process for Palestinian refugees from Syria to renew their residence permits. Two international NGOs working with refugees noted that there is “some indication that they [Palestinian refugees from Syria] may renew their residency in theory but, in practice, there are very few instances where [they] are able to do this”.²¹ In July 2016, Amnesty International was informed by the General Directorate of General Security in Lebanon that in May 2016 the government of Lebanon lifted the renewal fee for residency permits for Palestinian refugees from Syria until further notice. This is limited to Palestinians from Syria that entered Lebanon prior to May 2014 and to those who have not previously received deportation orders. The change in practice has not been circulated to the population concerned and the information is only available in an internal memo. Therefore it is difficult to know whether all those Palestinians from Syria who meet this criteria have gone forward to renew their permits.

LACK OF VALID RESIDENCE PERMITS

UNCHR estimates that the percentage of Syrian refugee households without valid residence permits rose from 9% in January 2015 to 61% in July 2015.²² Of 66 Syrian refugees interviewed by Amnesty International

¹⁶ The housing pledge is a document that a landlord or tenant (person subleasing the property) must sign. The document confirms that the person signing – who must be a Lebanese national - is hosting a Syrian household and commits to notify the local General Security Office when the occupancy ends. The person signing the pledge should demonstrate his/her rights to the property and this can be done through either presenting a certified copy of the property deed, or a lease agreement if the person is a tenant subleasing to Syrians. Refugees living in informal tented settlements have to provide a residency statement from the local Municipality stating this.

¹⁷ Amnesty International meetings with the Ministry of Social Affairs and General Directorate of General Security July 2016, Beirut.

¹⁸ Amnesty International meetings with government officials in Lebanon, 18-25 July 2016.

¹⁹ For full details of the restrictions see: Amnesty International, *Pushed to the edge: Syrian refugees face increased restrictions in Lebanon*, (Index: MDE/24/1785/2015), June 2015, available at: <https://www.amnesty.org/en/documents/mde24/1785/2015/en/>

²⁰ Amnesty International, *Denied refuge: Palestinians from Syria seeking safety in Lebanon*, (Index: MDE/18/002/2014), July 2014.

²¹ Norwegian Refugee Council and International Rescue Committee, *Legal status of refugees from Syria: Challenges and consequences of maintaining legal stay in Beirut and Mount Lebanon*, June 2015, available at: <https://data.unhcr.org/syrianrefugees/download.php?id=9682>

²² UN Inter-Agency Coordination Lebanon, *Protection Sector, Monthly Dashboard July 2015*, available at: <http://data.unhcr.org/syrianrefugees/download.php?id=9508>

between June and October 2015, 56 said they did not have a valid residence permit. This was mostly because their permit had expired and they had been unable to meet the cost or conditions to renew it; however, some had entered Lebanon irregularly and had never had a residence permit. Five of the 66 women had valid residence permits and the other five did not say.²³

A survey of 828 Palestinian families from Syria conducted in March 2015 by the Tatwir Centre for Studies found that the residence permits of 85.7% of the families had expired and another 12.8% had permits that were due to expire at the end of April 2015. The study noted that by the time it was published, 98% of Palestinian refugees from Syria would not have a valid residency permit.²⁴ Of 12 Palestinian refugee women from Syria interviewed by Amnesty International between June and October 2015, two had valid residency permits at that time. Of the valid permits, one was due to expire in October 2015 and the other was valid until December 2015.²⁵

IMPACT OF BARRIERS TO REGULAR STATUS ON REFUGEES' NON-DISCRIMINATORY ENJOYMENT OF RIGHTS

Without a valid residency permit, refugees from Syria are considered to be in breach of Lebanese law. This exposes them to the risk of a range of human rights violations including arbitrary arrest, detention and deportation, inability to seek redress from the authorities if they are a victim of crime due to fear of arrest, limitations on movement for fear of document checks and difficulties in accessing services such as education or health because of fear of crossing checkpoints.²⁶ In addition, without valid residency permits refugees are unable to complete administrative processes to register marriages or births of children.

Fear of crossing official checkpoints and being detained by the authorities due to invalid residence permits was widespread among the refugees throughout Lebanon who spoke to Amnesty International.²⁷ The government of Lebanon operates checkpoints across the country, for example on main roads leading to the different provinces in the country and in the vicinity of Palestinian refugee camps. Some are permanent and others only operate at night or when there is a known security threat. The military operate some checkpoints and others are run by the police.

"Aisha", a 33-year-old Syrian woman living in the Bekaa Valley with her husband and four young children, told Amnesty International:

"I am afraid to go out. I'm afraid to cross checkpoints. I have to go to Beirut for hospital appointments for my daughter every 15 days. She has a rare medical condition and has to have injections every 15 days. I go across the checkpoints and they [the authorities] haven't stopped me yet but I'm always afraid that someone will speak to me."²⁸

In addition the Lebanese Internal Security Forces carry out regular raids in informal settlements and arrest and detain refugees, particularly targeting men and boys from age 15 years, without valid residency permits.²⁹ In July 2016 Amnesty International interviewed two men and one boy aged 16 in an informal settlement in Bekaa who stated that their settlement had been raided on a regular basis. They were arrested along with five others from the informal settlement, handcuffed, had their heads covered and were taken to what they described as a military barracks where they were kept in a disused bathroom overnight. The following day they were taken to a police station at Masnaa where they were made to sign or fingerprint documents that they could not read before being released. One man interviewed by Amnesty International

²³ Interviews with Amnesty International, Lebanon, June and October 2015.

²⁴ Tatwir Centre for Studies, *Needs Assessment of Palestinian Refugees from Syria: Survey Results*, 2015, pp. 14-15 and p. 26. Also cited by UNRWA: http://www.unrwa.org/sites/default/files/final2_6_october_final_version_-_profiling_the_vulnerability_of_prs_in_lebanon_-_assessment.pdf

²⁵ Amnesty International, *"I want a safe place": Refugee women from Syria uprooted and unprotected in Lebanon*, (Index: MDE/3210/2016), February 2016.

²⁶ Amnesty International, *Pushed to the edge: Syrian refugees face increased restrictions in Lebanon*, (Index: MDE/24/1785/2015), June 2015.

²⁷ Amnesty International interviews with refugee women, June and October 2015, Beirut, Mount Lebanon, Bekaa Valley and South Lebanon.

²⁸ Amnesty International focus group discussion on 6 October 2015, Saadnyal, Bekaa Valley.

²⁹ Information shared with Amnesty International by international NGOs, civil society organizations and activists in Lebanon.

had lost his identity documents in a fire in the settlement and had been arrested and detained in three raids.³⁰ Curfews have also been periodically imposed in a number of municipalities inhabited by Syrian refugees that specifically target them, preventing freedom of movement. Most recently following a suicide attack in the town of Qaa in Bekaa on 27 June 2016, a number of municipalities imposed curfews for Syrian refugees.³¹ Prior to this in 2014, around 45 municipalities had imposed curfews on Syrians living in their localities, for reasons of 'public order'.³²

PROPOSED GOVERNMENT CHANGES AND THEIR EFFECTS ON THE LEGAL SYSTEM REGULATING REFUGEES

There have been recent indications that the government may take action on the issue of registration of Syrians in Lebanon. In June 2016 a representative of the Ministry of Social Affairs announced at a workshop in London that the government proposes to create its own database to register Syrians in Lebanon. This would be separate to UNHCR's registration system. The Ministry of Social Affairs would issue those registered on its database with a card which would be recognized by all government institutions. The Ministry of Social Affairs card would not replace the requirement for refugees to also have valid residence permits but would be accepted as a form of identification at checkpoints.³³ In meetings between Amnesty International and Lebanese government representatives in July 2016, the government indicated that the fee for renewal of residence permits would remain in place. The proposed registration by the Ministry of Social Affairs excludes Palestinian refugees from Syria. Only refugees registered with UNHCR would be able to obtain the new card and the Ministry of Social Affairs would do its own screening of refugees so some people registered with UNHCR could be excluded from the process. It is not yet clear what criteria the Ministry of Social Affairs would use in its screening or when the registration process would begin. The government states that the new registration card would be recognised by the security forces and would facilitate the free movement of refugees through checkpoints because the security forces would no longer ask to see refugees' residency permits. The new card will not mean that refugees are able to complete marriage and birth registration processes. Valid residence permits will still be required. It is also not clear whether women whose husbands are missing will be issued with a card without having to provide documentary proof of the fate or whereabouts of their husband, which may be impossible.³⁴

DISCRIMINATION AGAINST THE LONG TERM PALESTINIAN POPULATION

The long term Palestinian population resident in Lebanon experiences discrimination in many aspects of life. Discriminatory laws and regulations relating to property, social security and education continue to be in effect, affecting nearly 450,000 Palestinian refugees, who are registered with UNRWA in Lebanon and are long term residents of the country.³⁵

Much of the discriminatory treatment Palestinians face is rooted in their statelessness, which has far-reaching consequences and deprives them of the enjoyment of rights on equal footing with not only Lebanese nationals, but also other foreign residents in Lebanon.

Under the Lebanese domestic legal system, some laws apply the principle of reciprocity with respect to treatment of foreign nationals, whereby the right to work is granted to nationals of states which grant Lebanese citizens the right to work in their countries. However, this is not the case for Palestinians due to their statelessness.

³⁰ Amnesty International interview in an informal settlement in Bekaa, 23 July 2016.

³¹ For example see Daily Star, *Lebanon towns impose curfew on Syrian refugees*, 30 June 2016, available at: <http://www.dailystar.com.lb/News/Lebanon-News/2016/Jun-30/359848-bekaa-valley-town-imposes-curfew-on-syrian-refugees.ashx> (accessed 10 August 2016).

³² Human Rights Watch, *Lebanon: At least 45 local curfews imposed on Syrian refugees: some appear to be in retaliation for August clashes, executions*, 3 October 2014, available at: <https://www.hrw.org/news/2014/10/03/lebanon-least-45-local-curfews-imposed-syrian-refugees>

³³ Representative of the Ministry of Social Affairs speaking at the London School of Economics conference "The long term challenges of forced migration: Local and regional perspectives from Lebanon, Jordan and Iraq", Thursday 16 June 2016

³⁴ Amnesty International meetings with the Ministry of Interior and Ministry of Social Affairs, July 2016, Beirut

³⁵ Data available at <http://www.unrwa.org/where-we-work/lebanon>

At least 3,000 Palestinian refugees have no official identification documentations because they arrived in Lebanon after the Palestine Liberation Organization was expelled from Jordan in 1971. Such documentation is required for proving their residence in Lebanon, for registering births, marriages and deaths, and for other essential purposes. In 2008, the Lebanese authorities issued temporary ID cards valid for one year to some 800 Palestinians as a step towards legalizing their status and to enable them to move freely in the country. In 2009, however, the General Directorate of the General Security prevented further ID cards from being issued, leaving Palestinian refugees to continue facing severe obstacles in accessing their basic rights. In 2010, the issuance of ID cards resumed; however, it remains unclear what rights are granted to individuals holding these temporary cards.

Children whose father is a registered Palestinian refugee are also registered as refugees by UNRWA and recognized as such by the Lebanese authorities. However, children born to Palestinian fathers who do not possess recognized identity documents are not registered with UNRWA and do not receive recognized identification documents from the Lebanese authorities. Nor do they acquire Lebanese nationality even if they have a Lebanese mother, reflecting Lebanon's nationality laws which discriminate against women.³⁶

Such children face obstacles in exercising their human rights, including to education. They are generally denied recognition of educational achievement in Lebanese secondary schools as all students require identification documents – conspicuously lacking for non-ID Palestinian refugees – to sit the Lebanese state exams, which in turn give access to higher levels of education.

RIGHT TO WORK AND RIGHT TO JUST AND FAVOURABLE WORKING CONDITIONS – ARTICLES 6 AND 7

'PLEDGE NOT TO WORK' AND 'PLEDGE OF RESPONSIBILITY'

Since the introduction of strict requirements for renewal of residency, Syrian refugees have been divided into two categories by the Lebanese authorities: those registered with UNHCR and those who are not. Refugees who are registered with UNHCR were required to provide a 'pledge not to work', signed in the presence of a notary, which states that they will not work in Lebanon. If the government did not believe that the individual would not work, the permit would be refused and the individual would be required to follow the procedure for those without UNHCR registration.³⁷

Any Syrians not registered with UNHCR are required to provide a 'pledge of responsibility' – essentially a sponsorship – made by a Lebanese national who commits to obtain a work permit for the Syrian individual or group of Syrians, or to sponsor and host a family. This can be either be a sponsorship for an individual work permit by a Lebanese individual, or a group pledge of responsibility provided by a registered entity that hires a number of Syrian nationals. The pledge can also be a family pledge of responsibility by a Lebanese national to host and be fully responsible for one Syrian family. The Lebanese sponsor is required to be present at the General Security Office when the Syrian national is renewing their residency permit and in some cases required to return several times with the Syrian national. Sponsors are liable for any

³⁶ Lebanon's various personal status codes contain discriminatory provisions regarding marriage, divorce, parenting and inheritance. The Nationality Law stipulates that Lebanese women married to foreign nationals cannot pass on their nationality to their children, even if they were born in Lebanon. Children can receive Lebanese nationality from their fathers, but only from their mothers if they were born out-of-wedlock and their father is unknown. A further exception is when a non-Lebanese woman, who has children from a previous marriage to a non-Lebanese man, subsequently acquires Lebanese nationality through marriage to a Lebanese man; in such cases she can confer her acquired Lebanese nationality onto her non-Lebanese children upon the death of her Lebanese husband. While Lebanese men can pass their nationality to their foreign national spouses after only one year of marriage, Lebanese women married to foreign national spouses cannot do so.

³⁷ As seen by Amnesty International in internal Lebanese government memos, in addition to analysis carried out on the regulations by several international NGOs and UNHCR.

misdemeanours by the Syrian nationals they sponsor, in addition to being responsible for their work, housing, food and other costs.

All of the pledges and documents required for the renewal of residency permits, including the pledge not to work, must be signed by a notary public and this means the person seeking to renew their permit has to pay the notary office.

In July 2016 the government informed Amnesty International that it has lifted the requirement that refugees registered with UNHCR make a 'pledge not to work'³⁸. The 'pledge not to work' has been replaced by a 'pledge to abide by Lebanese law'. However, the government has not made a public announcement about the changes to the 'pledge not to work' and told Amnesty International that they do not intend to make an announcement.³⁹ Refugees, therefore, do not know about the change to the policy. It is also not clear whether those who were previously required to obtain residency through sponsorship will be able to change this and obtain residency without sponsorship by making the declaration to abide by Lebanese law. The removal of the 'pledge not to work' to renew residence permits does not remove the requirement for Syrians to obtain a work permit.

THE RIGHT OF PALESTINIAN REFUGEES TO WORK

For many years, more than 70 job categories were off-limits to Palestinians – by government decree. Despite amendments in 2010 to some provisions of the laws regulating the employment of Palestinian refugees, Palestinians are still barred from working in professions requiring syndicate membership, including medicine and engineering. The International Labour Organization (ILO) reported that the legal restrictions on Palestinian refugees' right to work mean that 90% of Palestinian refugees from Syria are unemployed and that, of those who are employed, only 10% are Palestinian women.⁴⁰

In August 2010, the Lebanese parliament approved amendments to Article 59 of the Labour Law and Article 9 of the Social Security Law in relation to the employment of Palestinian refugees. The amendments waived the fees to obtain a work permit by Palestinian refugees born in Lebanon and revoked the reciprocity of treatment policy applying to social security benefits (end-of-service compensation and work-related injuries). The amended text of Article 9 states: "Palestine refugee workers are exempt from the condition of reciprocity stated in the Labour Law and Social Security Law, so that they benefit from the contributions of end-of-service indemnity conditions from which Lebanese workers benefit. Henceforth, the Administration of the Social Security Fund should establish a separate independent account for the contributions belonging to Palestinian refugee workers that does not bring any financial obligation on the Treasury or the National Social Security Fund. Beneficiaries covered by the provisions of this law do not benefit from the contributions of sickness, maternity, and family allowance funds." In other words, Palestinian workers are required under the amended law to make full contributions to the National Social Security Fund, but only receive partial benefits and are not eligible for maternity leave pay or family allowances.

ECONOMIC EXPLOITATION

"I am a widow with four daughters but I am afraid to let them work because they will be harassed."

"Rouba", Shatila, Beirut

Refugees frequently work informally, especially those that have irregular status in Lebanon.⁴¹ In December 2014 the Lebanese government introduced restrictions which prohibited Syrians from working in

³⁸ Refugees who are registered with UNHCR were required to provide a 'pledge not to work', signed in the presence of a notary, which states that they will not work in Lebanon.

³⁹ Amnesty International meeting with the Ministry of Social Affairs, July 2016, Beirut

⁴⁰ International Labour Organization, *Assessment of the Impact of Syrian Refugees in Lebanon and their Employment Profile*, 2014, p. 14.

⁴¹ International Labour Organization, *Assessment of the Impact of Syrian Refugees in Lebanon and their Employment Profile*, 2014, p. 15, available at: <http://data.unhcr.org/syrianrefugees/download.php?id=8920>

occupations other than “agriculture, hygiene and construction”.⁴² The ILO reported that 70% of Syrian refugee women who are employed work in agriculture or as domestic workers. This means they work in occupations that have low pay and little job security.⁴³

Refugee women who work or look for work are at risk of exploitation by employers who take advantage of their dire economic situation. The ILO reported that Syrian refugee women earn on average LBP 248,000 (US\$165) per month, lower than the average earnings of Syrian refugee men, which is LBP 432,000 (US\$288) and significantly below the minimum wage level of 675,000 (US\$450).⁴⁴ The ILO also reported that refugees from Syria often work in unsafe or unhealthy conditions, with 75% of working refugee women reporting back or joint pain and that they are often forced to accept unfair working conditions including “low income, long working hours, working without breaks, and late payment of wages”.⁴⁵

About one third of the refugee women who spoke to Amnesty International were working. Women whose husbands had died or were detained were more likely to be working than women who were in Lebanon with their husband. Others said they were unable to work because they had small children to look after or had tried to find a job but were unable to find work. All said that they struggled financially.⁴⁶

In the context of a considerable power imbalance between employers and refugees who, firstly, desperately need an income to support their families, and secondly, are afraid of the consequences of having invalid residence permits, refugee women are at risk of both financial and sexual exploitation (see below). A consistent complaint among refugee women who worked, or had worked, was underpayment of wages. Employers would inform them of the salary they would be paid but, in practice, would pay them less.

One Syrian woman said “I am a university graduate but no one will employ me [in my field] because I am Syrian. I work cleaning houses. I am feeling exploited because I work long hours and for low wages. We feel humiliated, especially when they call us servants. They [employers] will make false promises. They pay me half the wage.”⁴⁷

RISK OF SEXUAL HARASSMENT AND GENDER BASED VIOLENCE

Irregular status and the need to work and support their family leaves refugee women at risk of sexual harassment and gender based violence in Lebanon

Refugee women also spoke about the fear of harassment in the context of employment. One Palestinian woman from Syria said “My daughter worked in a store. The manager harassed her and touched her. That is why I don’t let my daughters work now”. Her son, who was 14 when they arrived in Lebanon and is now 17 years old, is the only member of the family who is working.⁴⁸ Several women told Amnesty International that they had left a job, or not taken a job, because the attitude or behaviour of employers caused the women to become suspicious of the employer’s intentions. Seven refugee women who spoke to Amnesty International spoke of receiving offers of economic or other assistance from Lebanese men but the offers were made, explicitly or implicitly, on condition of engagement in sexual activity. One Syrian woman told Amnesty International “I am a mother, and have one son and two daughters. My husband died. There is a big difficulty living here in Lebanon because of the society and the men. If I want to search for a job, a man would always ask for something, an exchange.”⁴⁹ Refugees’ lack of valid residency permits both emboldens abusive employers and means that refugee women are unable to seek redress from the authorities for fear of negative repercussions. Refugee women also told Amnesty International that families depend on women to work either because they are the head of their household or because men are less likely to be able to move

⁴² See: http://www.labor.gov.lb/_layouts/MOL_Application/LatestNewsDetails.aspx?lang=ar&newsid=115 (in Arabic)

⁴³ International Labour Organization, Assessment of the Impact of Syrian Refugees in Lebanon and their Employment Profile, 2014, p. 25.

⁴⁴ International Labour Organization, Assessment of the Impact of Syrian Refugees in Lebanon and their Employment Profile, 2014, pp. 27-28.

⁴⁵ International Labour Organization, Assessment of the Impact of Syrian Refugees in Lebanon and their Employment Profile, 2014, pp. 31-32.

⁴⁶ Amnesty International, “*I want a safe place*”: *Refugee women from Syria uprooted and unprotected in Lebanon*, (Index: MDE/3210/2016), February 2016

⁴⁷ Amnesty International focus group discussion on 15 October 2015, Nabatieh, South Lebanon.

⁴⁸ Amnesty International focus group discussion on 25 June 2015, Shatila, Beirut.

⁴⁹ Amnesty International focus group discussion on 12 October 2015, Chtaura, Bekka Valley.

around freely and face higher risks of arbitrary arrest or detention if they are caught without a valid residence permit by authorities. Organizations working with refugees told Amnesty International that refugee men were more likely to be detained by the authorities than women. Organizations providing legal support to refugees in detention confirmed that the vast majority of their clients were men.⁵⁰ Refugee women interviewed by Amnesty International said that men were more likely to be asked for documents at checkpoints and detained if found to have invalid residence permits. However, some women said that they knew of women who had been detained and the fear that they could be stopped means that refugee women are restricting their movements, as are refugee men. One Syrian woman said “Most families depend on women because [refugee] men can’t move freely. The security are after them because most have invalid residency permits. [Families] depend on women. It is not safe for women to walk around on the streets. Despite all of this women are working because they are the ones the family depends on.”⁵¹

More generally, the vast majority of Syrian refugee women and all the Palestinian refugee women who spoke to Amnesty International said that they did not feel safe in Lebanon. They told Amnesty International that refugee women in Lebanon experience sexual harassment in public spaces irrespective of their marital status; however, many women heads of household said they also experienced more targeted harassment from men who knew they did not have a husband or other adult male relative living with them in Lebanon and who thought their difficult economic situation would mean that they would be more likely to agree to sexual activity in return for assistance.

Amnesty International’s interviews with refugee women also highlighted their serious lack of trust in the Lebanese authorities’ willingness to effectively and impartially investigate complaints brought by refugees. International and national NGOs working with refugees also told Amnesty International that while some survivors of violence sought their support services, it was very rare for survivors to report instances of gender-based violence to the police.⁵² Few refugee women who spoke to Amnesty International said that they would be prepared to report a crime committed against them to the Lebanese police. The main reason refugee women gave for their fear of approaching the authorities was their invalid residence permit. “Hala”, a Syrian refugee said, “Of course I wouldn’t feel safe because I don’t have a valid [residence] permit and they would ask for a valid permit whenever I walked into any police station.”⁵³ Of the few women interviewed by Amnesty International who had attempted to report incidents to the police, none had a positive experience. One Syrian woman told Amnesty International “A lot of [refugee] women are subjected to assaults, harassment, theft and even rape but can’t present complaints because of their illegal status in Lebanon and being threatened with arrest.”⁵⁴

Sexual violence is significantly under-reported worldwide and Lebanon is no exception.⁵⁵ All women and girls in Lebanon face obstacles in accessing justice for crimes of sexual or gender-based violence;⁵⁶ however, there is a discriminatory effect of the government imposed barriers to regular status which means that refugee women and girls face an additional barrier to reporting because they are concerned about possible repercussions for having an invalid residence permit.

Lebanon must take appropriate steps to ensure that all women and girls, including Syrian refugee women and Palestinian refugee women from Syria without valid residence permits, are able to report sexual harassment and gender-based violence as well as other human rights violations or abuses to the police without fear of detention, harassment or other adverse repercussions.

⁵⁰ Amnesty International interviews with international and national NGOs, June and October 2015, Beirut, Mount Lebanon and Bekaa Valley.

⁵¹ Amnesty International focus group discussion on 6 October 2015, Majdel Anjar, Bekaa Valley.

⁵² Amnesty International interviews with international and national NGOs, June and October 2015, Lebanon.

⁵³ Amnesty International focus group discussion on 13 October 2015, Barr Elias, Bekaa Valley.

⁵⁴ Amnesty International focus group discussion on 8 October, 2015, Mar Elias, Beirut.

⁵⁵ See for example, the UN Secretary-General’s campaign, UNiTE, to end Violence against Women, <http://www.un.org/en/women/endviolence/situation.shtml>. The UN Special Rapporteur on Violence against Women and CEDAW consistently mention under-reporting of sexual violence in their country specific work.

⁵⁶ CEDAW, Concluding Observations on Lebanon, CEDAW/C/LBN/4-5, para 21. Obstacles include lack of legal assistance and lack knowledge and sensitivity to women’s rights from justice officials.

RIGHT TO AN ADEQUATE STANDARD OF LIVING – ARTICLE 11

Refugee women told Amnesty International about their struggle to support their families. A shortage of funds has led to the UN reducing its financial support for refugees, leaving the majority living in poverty. The need to ensure shelter for their family in an environment where accommodation costs are high and few refugees have written tenancy agreements means that refugee women are at risk of eviction or exploitation by landlords. The UN warned in April 2015 that it expected to see a rise in the number of refugees reacting to economic difficulties by resorting to negative coping strategies such as reducing portion sizes, increased debt, reducing spending on education and health or increased begging.⁵⁷

RIGHT TO FOOD

The severe shortage of funds has resulted in the UN's World Food Programme (WFP) reducing its monthly payment to Syrian refugees to support purchase of food. During the course of 2015 support dropped from US\$27.70 per person per month to just US\$13.50 per person per month, less than half.⁵⁸ In 2016, refugees have been receiving US\$21.60 per person per month; however, the UN has also cut the numbers of refugees receiving the payments and households can only receive the payment for a maximum of five individuals. This means that refugees receive US\$0.72 per person per day, significantly below the World Bank's global poverty line of US\$1.90 poverty line per day.⁵⁹ By September 2015 the UN estimated that 70% of Syrian refugee families were living below the Lebanese national poverty line of US\$3.84 per person per day⁶⁰ and the WFP stated that only 7% of refugee households were food secure, down from 25% in 2014.⁶¹

In May 2015 UNRWA reduced the monthly amount provided to Palestinian refugees from Syria for food from \$30 per person per month to \$27 per person per month. Despite the reduction in assistance UNRWA reported that its cash assistance was the primary source of income for 98% of Palestinian refugees from Syria compared to 70% in April 2014.⁶²

The funding shortage has meant that the UN has reduced, and continues to reduce, the number of Syrian refugees receiving the monthly payment for food, despite acknowledging that the needs of the population remained the same or worsened.⁶³ About one quarter of the 77 Syrian refugee women who spoke to Amnesty International had stopped receiving payments for food over the last year. The impact of the cessation of financial assistance or, for those still receiving assistance, the reduction in amount of support provided has had a severe impact on the ability of refugee women to support their families.⁶⁴

⁵⁷ World Food Programme, Syria Crisis Response- situation update Jan-March 2015, April 2015, available at: <http://documents.wfp.org/stellent/groups/public/documents/ep/wfp273846.pdf>

⁵⁸ UN Inter-Agency Coordination Lebanon, *Food Security Sector, Monthly Dashboard*, July 2015, available at: <http://data.unhcr.org/syrianrefugees/download.php?id=9506>

⁵⁹ See <http://www.worldbank.org/en/topic/poverty/brief/global-poverty-line-faq> The WFP calculates a Minimum Food Expenditure Basket based on 2,100kcal per day. It states that, in Lebanon, a minimum amount of US\$37 per person per month is required to purchase the required food items. The financial support the WFP is able to provide refugees falls far short of its own calculation of the minimum refugees require each month to buy food.

⁶⁰ UNHCR, *Syrian Refugees, Inter-Agency Regional Update*, September 2015, p. 7 available at: <http://data.unhcr.org/syrianrefugees/download.php?id=9617>

⁶¹ World Food Programme, *Lebanon: Syria Crisis Response, Situation Report*, September 2015, available at: <http://data.unhcr.org/syrianrefugees/download.php?id=9670>

⁶² UNRWA, *2015 Syria Crisis Response: Progress Report*, May 2015, p. 12, available at:

http://www.unrwa.org/sites/default/files/2015_syria_crisis_response_progress_report.pdf?_sm_au_=iVV1P20SrFjf6v2R

⁶³ UNHCR, *Inter-Agency Regional Update, Food Security Sector, Mid-Year Dashboard*, June 2015, p. 2, available at: <http://data.unhcr.org/syrianrefugees/download.php?id=9237> The WFP reported that 883,833 Syrian refugees received monthly payments for food between January and March 2015. By August 2015 this number had reduced to 772,102 refugees⁸⁷ and by November 2015 it had dropped again with 603,423 refugees receiving payments.⁸⁷ In September 2015 the UN capped the assistance so households could only receive payments up to a maximum of 5 people.

⁶⁴ Amnesty International, *"I want a safe place": Refugee women from Syria uprooted and unprotected in Lebanon*, (Index: MDE/3210/2016), February 2016

One Syrian woman told Amnesty International “At the beginning I got LBP 45,000 [US\$30] from UNHCR, then it decreased to LBP 30,000 [US\$20] and now it’s US\$13. I buy bread and a bit of cheese. Every couple of months we would maybe eat meat. The amount is not enough, especially for people with children. The UNHCR have appointed places where we can spend the vouchers. The designated shops are far away from where I live. I need transport and have to pay about LBP 10,000 [US\$6.60] to get to the shop and back.”

UNRWA also reported that 91% of Palestinian refugee families from Syria have experienced “lack of food or money to buy food” leading to family members reducing their food consumption or skipping meals and that 90% of families have been forced to sell assets and 80% have exhausted any savings they had.⁶⁵

INADEQUATE HOUSING

All of the refugee women who spoke to Amnesty International, especially those whose UN financial support has stopped or reduced, said finding enough money to pay for accommodation is a serious, ongoing concern.

Adequate accommodation was already in short supply in Lebanon before the arrival of more than 1 million refugees. There was a shortage of affordable accommodation with large areas of poor quality informal settlements. In 2014 the UN found that for 41% of Syrian refugees in Lebanon adequate shelter is not affordable.⁶⁶ The main problems identified were overcrowding, poor quality shelter (where, for instance, there was a need for replacement of, or repairs to, the roof, windows or bathroom), and inadequate access to water and sanitation (particularly a problem in informal settlements).⁶⁷

Many refugee women told Amnesty International about numerous challenges they face in paying the rent on time. One Syrian woman said “Every 15th of the month I have to pay the rent for my tent. The landlord won’t wait for us [to pay] so sometimes I have to go out and beg for the money in order to pay the rent.”⁶⁸ She also told the organization that she and her family share their tent with other families because she can’t afford the rent on her own. She stated, “I live in a tent with 10 other people. The tent leaks. We asked for a cover to cover the tent where the water gets in but no one helped us. We are three widows and our children living together.”

Refugee women also told Amnesty International about problems they had with the condition of their accommodation. This included dirty surroundings, rodent infestation and, for those living in informal settlements, a lack of basic services such as electricity and water. The UN reports that in informal settlements many people rely on illegal electricity connections or informal supplies at high prices and that sanitation facilities are extremely basic.⁶⁹ Although the UN has a programme to upgrade shelter conditions, Syrian refugee women living in informal tented settlements told Amnesty International that they worried about water leaking in their tent and cold conditions in winter. A Syrian woman living in an informal tented settlement told Amnesty International “I am really worried about winter. Last time it rained, the tent leaked water. They were supposed to come and give us covers for the tent but no one came yet.”⁷⁰

THREAT OF FORCED EVICTION

Lebanese law provides protection from eviction. Even when a property owner is legally entitled to evict an occupant, the eviction must be authorised by a court. If a property owner evicts an occupant without a court order, they can be charged under provisions preventing individuals from taking the law into their own hands.⁷¹ The UN reports that more than half of all evictions occur because refugees are unable to

⁶⁵ UNRWA, Profiling the Vulnerability of Palestine Refugees from Syria Living in Lebanon 2015, p. 18.

⁶⁶ UNHCR and UN Habitat, Housing, Land and Property Issues in Lebanon, August 2014, p. 6.

⁶⁷ UNHCR and UN Habitat, Housing, Land and Property Issues in Lebanon, August 2014, p. 6 and 31.

⁶⁸ Amnesty International focus group discussion on 13 October 2015, Barr Elias, Bekaa Valley.

⁶⁹ UNHCR and UN Habitat, Housing, Land and Property Issues in Lebanon, August 2014, p. 38.

⁷⁰ Amnesty International focus group discussion on 13 October 2015, Barr Elias, Bekaa Valley.

⁷¹ UNHCR and UN Habitat, Housing, Land and Property Issues in Lebanon, August 2014, p. 25.

pay the rent; however, it states that “while some evictions may be justifiable, they do not seem to be carried out in compliance with domestic law or international standards”.⁷² Refugee women across Lebanon told Amnesty International about insecure accommodation and the constant worry they would be evicted.

Several refugee women told Amnesty International that when they had been unable to pay the rent on time their landlord had evicted them without notice or threatened to evict them immediately. One woman said that she had been evicted because her landlord had found someone who would pay a higher rent for the property, and another that threats of eviction occurred if refugees complained about living conditions. Other refugee women said their landlord had increased the rent or charged what seemed to them to be suspiciously high bills for electricity or water but that they were unable to challenge this for fear of eviction.⁷³

HOUSING CONDITIONS AND ASSISTANCE FOR PALESTINIAN REFUGEES

UNRWA reports that up to 60% of Palestinian refugee families from Syria share a household with one or more families and 12% live in extremely crowded conditions of 3.5m² or less per person.⁷⁴ Over 75% of Palestinian refugees from Syria live in an independent house or apartment with the remaining population living in tents, factories, garages, shops, barracks or unfinished shelters.⁷⁵ UNRWA reports that 81.7% of Palestinian refugees from Syria pay rent, 10.4% are hosted for free and 6.4% live in assisted accommodation. The mean monthly rent of Palestinian refugees from Syria who pay rent is US\$257 per household. Households living outside Palestinian refugee camps pay higher rents than those living in camps and those living in Beirut pay higher rents than those living in other areas.⁷⁶

UNRWA provides some services at Palestinian refugee camps but conditions are generally poor and the camps are dilapidated and overcrowded.⁷⁷ UNRWA notes that Lebanon has the highest percentage of Palestinian refugees living in poverty. The poor living conditions of long-term Palestinian refugees in Lebanon has been exacerbated by the influx of refugees from Syria (including both Palestinians and some Syrian refugees) who have moved into the camps.

In July 2015 lack of funds resulted in UNRWA suspending its monthly payment of US\$100 per household for housing. The housing assistance was received by 43,000 Palestinian refugees from Syria and UNRWA described its suspension as “disastrous”.⁷⁸ “Hanan”, a 38-year-old Palestinian refugee from Syria who is supporting her three daughters, told Amnesty International about the impact of the suspension of UNRWA housing assistance. She said: “UNRWA used to give our family US\$100 for [assistance with] rent even though our rent is not less than US\$300. We also used to get LBP 45,000 (US\$ 29.86) per person but this has been cut to LBP 40,000 (US\$ 26.54) and afterwards the \$100 was cut. I work and receive some aid, but it’s not enough.”⁷⁹ UNRWA was able to reinstate the financial

⁷² UNHCR and UN Habitat, *Housing, Land and Property Issues in Lebanon*, August 2014, pp. 43-44 and 48.

⁷³ Amnesty International, *“I want a safe place”: Refugee women from Syria uprooted and unprotected in Lebanon*, (Index: MDE/3210/2016), February 2016.

⁷⁴ UNRWA, 2015 Syria Crisis Response Progress Report, May 2015, p. 13, available at: http://www.unrwa.org/sites/default/files/2015_syria_crisis_response_progress_report.pdf

⁷⁵ UNRWA Profiling the Vulnerability of Palestine Refugees from Syria Living in Lebanon 2015, p. 22. The majority of families live in an independent house or apartment (78.67%); 6.45% live in a separate room (inside a house or an apartment), 5% live in a factory, warehouse, garage, or shop, 3.35% live in an unfinished shelter, and 2.65% live in a collective shelter. Only 3.58% of families of Palestinian refugees from Syria live in a tent, hut, or barrack.

⁷⁶ UNRWA Profiling the Vulnerability of Palestine Refugees from Syria Living in Lebanon 2015, p. 24. The UNRWA report specifies that the calculation of average rent has been made for those households that pay rent and that it is the mean amount. The UNHCR vulnerability assessment does not specify either the type of average calculated or whether Syrian refugee households who do not pay rent have been excluded from the calculation. This makes it difficult to compare the two calculations and assess whether the different figures are due to methodological differences or other reasons.

⁷⁷ <http://www.unrwa.org/where-we-work/lebanon> and Amnesty International *Exiled and suffering: Palestinian refugees in Lebanon*, (Index: MDE 18/010/2007) October 2007.

⁷⁸ UNRWA, Lack of funds forces UNRWA to suspend for housing, 22 May 2015, available at: <http://www.unrwa.org/newsroom/press-releases/lack-funds-forces-unrwa-suspend-cash-assistancehousing-palestine-refugees>

⁷⁹ Amnesty International focus group discussion on 8 October 2015, Mar Elias, Beirut.

support for housing in April 2016; however, they do not have enough funds to continue paying it beyond October 2016.⁸⁰

LACK OF SECURITY OF TENURE DUE TO DISCRIMINATORY PROPERTY LAWS

Palestinian refugees are subject to a discriminatory law introduced in 2001 preventing them from owning or inheriting property. Presidential Decree 11614 of 4 January 1969, as modified by law 296 of 3 April 2001, prohibits persons who do “not carry a citizenship issued by a recognized state” from owning property in Lebanon. This law does not explicitly refer to Palestinians, but Article 1 of the amended Decree provides:

No non-Lebanese person, either natural or juridical, ... is entitled to acquire through a contract or any other legal deed concluded between living persons, any real property rights in Lebanese territory ... No real right of any kind may be acquired by any person that does not carry a citizenship issued by a recognized state, or by any person if such acquisition contradicts with the provisions of the constitution relating to the prohibition of settlement (Tawteen)

This law thus directly discriminates against stateless persons, and in Lebanon the overwhelming majority of Palestinian refugees are *de jure* stateless. This restriction on the right to own property greatly diminishes the possibility for Palestinians to be guaranteed a degree of security of tenure outside of camps, forcing the majority of them to remain in overcrowded and often unsanitary camps. Amnesty International is concerned that, in addition to preventing Palestinians from acquiring property, the amended decree also prevents them from inheriting property or registering real estate bought in instalments because they are unable to register such property.

Successive government ministers have justified prohibiting Palestinians from owning property and from transferring their already purchased apartments and deeds to their children by stating that the law is in line with the government’s opposition to the resettlement of Palestinian refugees in Lebanon. However, it is clearly resulting in widespread violations of the right to adequate housing.

RIGHT TO HEALTH – ARTICLE 12

One of the main priorities for the refugee population is the need for adequate access to health care services. Many refugees fleeing Syria have serious health care needs due to, amongst other things, pre-existing chronic conditions and injuries suffered during the conflict, including the effects of torture. However, on arriving in Lebanon they are met with an overstretched system in which the services available to refugees are limited and difficult to access.

The health care system in Lebanon is largely operated by private providers, with users paying fees or being covered by insurance schemes. An international humanitarian response, led by UNHCR, provides health care funding for Syrian refugees. However, this programme is woefully underfunded. As a result of limited resources and the large refugee population, UNHCR is restricted in the assistance it is able to provide.⁸¹

In May 2013, UNHCR had to reduce the provision of secondary and tertiary health care services⁸² to refugees and had to limit its funding to primary health care and to narrowly defined emergency treatment.⁸³ UNHCR also had to reduce subsidized financial contributions provided to refugees from 85% to 75%, meaning that refugees now have to cover 25% of the treatment costs for secondary and

⁸⁰ Amnesty International meeting with UNRWA, July 2016, Beirut

⁸¹ Memorandum from UNHCR to Amnesty International, 14 May 2014.

⁸² 36Secondary care is an “intermediate level of health care that includes diagnosis and treatment performed in a hospital or health centre having specialized personal, laboratory facilities, and bed facilities.” Tertiary health care is specialized for patients referred from secondary centres which require specialized surgical and other advanced treatments. For more information see UNHCR, Guidelines to Referral Health Care in Lebanon, January 2014, p.21, available at: data.unhcr.org/syrianrefugees/download.php?id=4277

⁸³ UNHCR Lebanon, Operational Guidance, May 2013, available at: data.unhcr.org/syrianrefugees/download.php?id=2257, accessed on 15 May 2014.

tertiary care.⁸⁴ People unable to access subsidized care under the UNHCR programme have included those needing care for non-life threatening injuries such as burns and bullet wounds, as well as those suffering from life threatening conditions such as cancer and kidney failure.⁸⁵

The impact on those unable to access medical care often has implications far greater than for the individual concerned. Amnesty International's research found that limitations on health care available to refugees in Lebanon have resulted in Syrian refugees with serious medical concerns being left untreated. Families are taking on debt to pay for private care (and as a result unable to afford other basic needs) or - in desperation - attempting the very dangerous journey back to Syria to seek treatment there.⁸⁶

Until December 2015 UNRWA used to cover 100% of secondary care for UNRWA partner hospitals if cases were referred by UNRWA clinics. However, there has been a reduction in financial support for Palestinian refugees in 2016 due to the high costs of healthcare in Lebanon. Although Lebanon has the least number of Palestinians of any UNRWA area of operation, it has the highest costs of healthcare.⁸⁷

Under UNRWA's new healthcare plan, Palestinian refugees are now covered for 100% of costs at Palestinian Red Crescent facilities but only 95% at Lebanese public hospitals and 90% at private hospitals. UNRWA will maintain the increased 60% coverage for tertiary care with the increased ceiling of US\$5000.⁸⁸

ACCESS TO HEALTHCARE

Registered Syrian refugees can in some cases access health care in Lebanon through a UNHCR-run programme. Because health care in Lebanon is largely privatized, UNHCR has to pay for the treatment of refugees. In order to do so with the limited financial resources available, UNHCR has adopted a public health approach which prioritizes affordable and accessible basic primary health and emergency care, over more costly and complex treatments and hospital care, with the aim of ensuring coverage for the greatest number of refugees in Lebanon.⁸⁹

For those that meet UNHCR's criteria for hospital care, 75% of the treatment costs are covered, with the remaining 25% - as well as the cost of medicines - to be covered by the individual, unless they meet UNHCR's vulnerability criteria or are victims of torture or sexual or gender-based violence, in which case 100% of costs are covered.⁹⁰ The high cost of care for certain conditions means that treatment for those conditions is not subsidized under the UNHCR system. These include, among others: treatment for chronic diseases that require repeated hospitalization, such as cancer treatment or kidney dialysis; babies with extremely low birth weight and poor prognosis; and blood diseases unless an emergency transfusion is required.⁹¹

IMPACT OF RESTRICTIONS ON SECONDARY AND TERTIARY HEALTHCARE

The restrictions in place on secondary and tertiary health care have resulted in medical conditions that were initially relatively straightforward to treat becoming increasingly serious, and in some cases life

⁸⁴ United Nations, 2014 Syria Regional Response Plan: Lebanon, p.45 available at: <http://www.unhcr.org/syriarrp6/docs/syria-rrp6-lebanon-response-plan.pdf#i>, accessed on 15 May 2014.

⁸⁵ Amnesty International, *Agonizing choices: Syrian refugees in need of health care in Lebanon*, (Index: MDE/18/001/2014), May 2014,

⁸⁶ Amnesty International, *Agonizing choices: Syrian refugees in need of health care in Lebanon*, (Index: MDE/18/001/2014), May 2014,

⁸⁷ Amnesty International meetings with UNRWA, July 2016, Beirut

⁸⁸ UNRWA Strengthens Hospitalization Support in Lebanon, 1 June 2016 available at

<http://www.unrwa.org/newsroom/press-releases/unrwa-strengthens-hospitalization-support-lebanon> accessed on 1 August 2016

⁸⁹ UNHCR et al, Report on Secondary and Tertiary Health Care, January – June 2013, available at: <https://data.unhcr.org/syrianrefugees/download.php?id=3286>

⁹⁰ According to UNHCR, refugees that meet UNHCR's vulnerability criteria will have 90% of their costs covered, while victims of torture and sexual and gender based violence have 100% of their costs covered. For more information see UNHCR, Guidelines to Referral Health Care in Lebanon, January 2014, p.8, available at: data.unhcr.org/syrianrefugees/download.php?id=4277

⁹¹ For further information on who is eligible for subsidized care under UNHCR's guidelines, see UNHCR, Guidelines to Referral Health Care in Lebanon, January 2014, available at: data.unhcr.org/syrianrefugees/download.php?id=4277

threatening, due to lack of treatment. Refugees who do meet the criteria for subsidized care, but are unable to afford the remaining 25% payment, were incurring debt which placed them in ever more vulnerable situations. Many refugees that spoke to Amnesty International found the eligibility criteria confusing and, coupled with a lack of easily accessible guidance, a cause for further anxiety. Formal complaints mechanisms for refugees are also unavailable.⁹²

Several Syrian refugees with serious health conditions that required operations or further treatment told Amnesty International that they were unable to receive treatment because of the high cost and because they were not eligible under the criteria. These included cases of damage to limbs caused by shrapnel, and open, infected wounds left untreated, resulting in people becoming bedridden. In some of these cases, Amnesty International found that the lack of treatment for injuries had resulted in further complications, with severe negative health consequences for the individual as well as consequential impacts for their families.⁹³

LACK OF AFFORDABLE TREATMENT AND INFORMATION

Amnesty International spoke to several Syrian refugees living with cancer and other non-communicable diseases who are unable to continue their treatment in Lebanon due to the high cost of care. According to the WHO, non-communicable diseases were the leading cause of morbidity and mortality in the population in Syria in 2011, and there are serious concerns about treatment for these diseases being discontinued in Syria due to the crisis.⁹⁴ Many refugees have to discontinue treatment for non-communicable diseases in Lebanon because they do not qualify for subsidized care through UNHCR and because they cannot afford private care - the main options available.

While the guidelines for eligibility for subsidized care are clearly set out by UNHCR, in practice many of the refugees that spoke to Amnesty International stated that they found the eligibility criteria extremely confusing. In some cases where the health condition did not meet the criteria for care, evidence suggests that decisions were not explained clearly or adequately communicated by health workers. Many of the refugees Amnesty International spoke to expressed frustration and confusion about the lack of information provided to them.

There are no formal complaints mechanisms in place for refugees who believe they have not been treated well, or for those who do not receive the health care that they require. According to UNHCR, complaints at the primary health care level are directed to the implementing or operational partners providing the service – who in turn should follow-up and remedy the case if appropriate. This process is clearly limited as it means complaints are being made to the organization being complained about with no other means of redress. Those who do not meet the eligibility criteria to be treated at a hospital are referred back to the primary health care centre where they can only receive primary health care.⁹⁵ Refugees are unable to make a formal complaint if they feel they should meet the eligibility criteria for hospital care, and are denied it. They are also unable to receive feedback or remedy for not being treated well, due to the absence of such a system.

⁹² Amnesty International, *Agonizing choices: Syrian refugees in need of health care in Lebanon*, (Index: MDE/18/001/2014), May 2014,

⁹³ Amnesty International, *Agonizing choices: Syrian refugees in need of health care in Lebanon*, (Index: MDE/18/001/2014), May 2014,

⁹⁴ WHO, Donor Update: The Syrian Arab Republic, 9 April 2013, available at: http://www.who.int/hac/donorinfo/syrian_arab_republic_donorupdate9april2013.pdf accessed on 26 March 2014. Save the Children, A Devastating Toll: the impact of three years of war on the health of Syria's children, March 2014, available at: <http://www.savethechildren.org.uk/resources/online-library/devastating-toll>, accessed on 26 March 2014.

⁹⁵ Post-mission note from UNHCR to Amnesty International, 21 March 2014.

RIGHT TO EDUCATION – ARTICLE 13

UNHCR figures from June 2016 show that 53.5% of the 1.03 million refugees in Lebanon are children.⁹⁶ In October 2015, UNHCR reported that there were close to 417,000 Syrian refugee children between the ages of three and fourteen years old.⁹⁷ Between January and October 2015, 155,153 Syrian refugee children were enrolled in formal education with a further 27,003 children enrolled in informal or non-formal learning opportunities.⁹⁸ Just over half of Syrian refugee children aged 6-14 years old attended school and only 46 percent of students who entered primary grade one reached grade six. Only five percent of 15-17 year olds attended secondary school or higher.⁹⁹

The UN reported that for children in the age group of 6-18¹⁰⁰ the primary reasons for not attending school were the cost of education or children having to work. There were also barriers caused by supply and availability of education, such as schools not allowing enrolment, no schools in the area, and lack of spaces in schools or language and curriculum difficulties.¹⁰¹ In 2015 the Ministry of Education, UN agencies and various donors committed to cover all tuition and school related fees for Lebanese and refugee children.¹⁰²

Almost all of the women that spoke to Amnesty International expressed the urgent need for better access to quality education for refugee children in Lebanon. Although the Ministry of Education issued a government memorandum in 2012 stating that all schools should register Syrian refugee children regardless of their legal status, many refugee women spoke about difficulties in registering their children in Lebanese schools without having regular residency status. One Syrian women with a seven year old son said “I tried to register my son at school - we went to a school who asked us for \$50 and then said there are no school places. We [Syrian refugees] need to have legal status in order to register our children, so we can register them in schools.”

Refugee women were also told by some schools that were not enough places for refugee children. Some women told Amnesty International that even if a place was available, increasingly expensive school fees and transportation costs prevents them from being able to send their children to school.¹⁰³ Language barriers in schools for Syrian refugee children and the reported lack of quality education provided to Palestinian children by some UNRWA schools, were also common concerns raised by refugee women in Lebanon.

CHILD LABOUR INSTEAD OF EDUCATION

Since many refugee families have exhausted their resources and savings, they are left with no choice but to send their children to work. As a result, in the 2015 school year around 6,000 families were forced to withdraw their children from school.¹⁰⁴ Partly as a result of the high number of Syrian women headed households in Lebanon, there has been a significant increase in Syrian children going to work at an early age to support their families and both refugee girls and boys often start work from the age of 6 or 7.¹⁰⁵ The ILO

⁹⁶ <http://data.unhcr.org/syrianrefugees/country.php?id=122>, figures last updated 30 June 2016

⁹⁷ UNHCR, 200,000 Syrian refugee children to get free schooling in Lebanon, October 2015, available at: <http://www.unhcr.org/560e96b56.html> accessed on 11 December 2015

⁹⁸ UNICEF, Syrian Refugees and other affected populations in Egypt, Iraq, Jordan, Lebanon and Turkey, January 2016, available at: <http://www.unicef.org/appeals/syrianrefugees.html> accessed on 20/07/2016

⁹⁹ UNHCR, *Vulnerability Assessment of Syrian Refugees in Lebanon 2015*, December 2015, p.2, available at: <http://data.unhcr.org/syrianrefugees/download.php?id=10006>

¹⁰⁰ The report looked at the following age groups - (6-14, 15-17 and 18-14) UNHCR, *Vulnerability Assessment of Syrian Refugees in Lebanon 2015*, December 2015, p.28, available at:

<http://data.unhcr.org/syrianrefugees/download.php?id=10006>

¹⁰¹ UNHCR, *Vulnerability Assessment of Syrian Refugees in Lebanon 2015*, December 2015, p.28, available at:

<http://data.unhcr.org/syrianrefugees/download.php?id=10006>

¹⁰² UNHCR, 200,000 Syrian refugee children to get free schooling in Lebanon, October 2015, available at:

<http://www.unhcr.org/560e96b56.html> accessed on 11 December 2015

¹⁰³ Amnesty International, “*I want a safe place*”: *Refugee women from Syria uprooted and unprotected in Lebanon*, (Index: MDE/3210/2016), February 2016

¹⁰⁴ UNHCR, 200,000 Syrian refugee children to get free schooling in Lebanon, October 2015, available at:

<http://www.unhcr.org/560e96b56.html> accessed on 11 December 2015

¹⁰⁵ ILO, Tackling child labour among Syrian refugees and their host communities in Lebanon Project Proposal, March 2015, p.4 available at: http://www.ilo.org/wcmsp5/groups/public/---dgreports/---exrel/documents/briefingnote/wcms_368225.pdf

states that “obstacles to education, the financial requirements of Syrian refugee families in Lebanon, and the extensive supply of child labour have all inevitably led to an increase in exploitation of child labourers.”¹⁰⁶

Lebanese law prohibits the employment of juveniles under 13 years of age.¹⁰⁷ However, refugee women told Amnesty International that they were forced to ask their children to leave education in order to help with living costs. One Syrian woman said “I was fine with [my] UNHCR support but now it has decreased. My 14 year old doesn’t work but my 12 year old son sells napkins in the street. My husband came to Lebanon but then went back to Syria and now he is now in Germany.”¹⁰⁸ Another refugee woman told Amnesty International “I used to work in a store where we arranged napkins but I couldn’t continue because of my health. My daughter is 12 years old and is supporting me. She works in a sewing factory.”¹⁰⁹

LAW VIOLATING THE RIGHT OF PALESTINIAN REFUGEES TO FREE PRIMARY EDUCATION – ARTICLE 5 (E) (V)

Palestinian refugee children are denied access to free public education under a 1998 law which restricts the right to free primary education to Lebanese children. Law No. 686 of 1998, which amended Article 49 of Decree No. 134/59 provides that: “Public education is free and compulsory in the primary phase, and is a right of every Lebanese in the primary education age.”

By specifying that only Lebanese children have a right to free primary education, children born to Lebanese mothers and foreign national fathers and non-Lebanese long-term residents, including Palestinian refugee children, are denied such access to education.

¹⁰⁶ ILO, Tackling child labour among Syrian refugees and their host communities in Lebanon Project Proposal, March 2015, p.5 available at: http://www.ilo.org/wcmsp5/groups/public/---dgreports/---exrel/documents/briefingnote/wcms_368225.pdf

¹⁰⁷ Article 22, as amended by Article 1 of Act No.536 of 24 July 1996. State party's report, E/C.12/LBN/2, 20 July 2015 available at:

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2fLBN%2f2&Lang=en

¹⁰⁸ Amnesty International focus group discussion on 13 October 2015, Baar Elias, Bekka Valley

¹⁰⁹ Amnesty International focus group discussion on 15 October 2015, South Lebanon

RECOMMENDATIONS

On the situation of refugees from Syria

To the government of Lebanon

- Ratify the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol;
- Ensure that all refugees from Syria can renew their residency permit in Lebanon until there is a fundamental change in circumstances in Syria that means it is safe for them to return. To this end, remove obstacles to residency renewal, including the fee of US\$200. Ensure renewal processes are effective, fair, speedy and transparent and that relevant information is publicly available;
- Ensure that Syrian refugee women and Palestinian refugee women from Syria living in Lebanon without their husband are able to renew their residence permits without being required to show permission from their husband or to prove his whereabouts, so they are able to access services and are not prevented from enabling themselves and their families to enjoy an adequate standard of living;
- Ensure that police provide a safe and confidential environment for all women and girls to report incidents of gender-based violence, labour exploitation or other human rights violations or abuses, irrespective of their nationality or the status of their residence permit, and ensure that all such complaints are recorded and promptly, impartially and effectively investigated and perpetrators are brought to justice;
- End the suspension of registration of refugees, which is a key mechanism to identify those in need of international protection and assistance. Further, allow the UNHCR to re-register those who were deregistered due to having entered Lebanon after 5 January 2015;
- Work with UN agencies to improve service provision to refugees, in particular access to housing, education, health, food, water and sanitation in line with international obligations to ensure that minimum essential levels of each right are met for everyone in the country;
- Develop a national health strategy that reflects/fully recognises and makes provisions for the refugee population in Lebanon, including the ability to seek redress for violations of the right to health;
- Permit field hospitals to be established, subject to proper regulation and inspection in order to provide services for the refugee population in Lebanon;
- Lift all practices that discriminate against refugees, including curfews specifically targeting Syrians, and raids and arrests on the grounds of lack of residency permits.

On the situation of the Palestinian refugee population resident in Lebanon

To review existing legislation and to amend as necessary any provisions that do not comply with Lebanon's obligations under international law, including:

- Amend Law No. 296 of 3 April 2001 to enable Palestinians to exercise their right to own and inherit property, and ensure that such amendment is in conformity with Article 2 of the ICESCR and Article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD);
- Amend the Labour Law to allow Palestinians to have equal access to employment in all jobs and professions, to receive equal wages and to attain job security;
- Make primary education compulsory, free and available to all children, and ensure that the government respects its obligations under ICERD, Article 13 of the ICESCR, and Article 28 of the Convention on the Rights of the Child (CRC).

Take all necessary steps to regularize, without delay, the status of non-ID Palestinian refugees in Lebanon, including by:

- Registering all non-ID Palestinian refugees under Lebanese jurisdiction, providing them with official identification documents, ensuring that all their current and future children are provided with the

necessary registration and documents, and ensuring that the authorities comply with article 7(1) of the CRC and article 24 of the International Covenant on Civil and Political Rights, which stipulates that every child has the right to be registered immediately after birth and the right to have a name and to acquire a nationality;

- Allowing, with immediate effect, Palestinian refugee students who do not have identification documentations to sit the Lebanese state exams, which give access to higher levels of education.

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