

AMNESTY INTERNATIONAL

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UN Committee's recommendations to Lebanon: Need for effective measures to protect the human rights of Palestinian refugees

Amnesty International notes the concluding observations of the Committee on the Elimination of Racial Discrimination (CERD) (UN Document CERD/C/64/CO/3, adopted on 12 March 2004) on Lebanon's periodic reports as a state party to the Convention on the Elimination of All Forms of Racial Discrimination.

Amnesty International made a submission to CERD in December 2003 that addressed the violations of certain economic and social rights of Palestinian refugees in Lebanon. The submission highlights Amnesty International's concerns on laws and policies that have a discriminatory effect on Palestinian refugees with respect to their right to an adequate standard of living, the right to work, the right to social security, and the rights to own and inherit property.

With regards to Palestinian refugees in Lebanon, CERD expressed "its concern with regard to the enjoyment by the Palestinian population present in the country of all rights stipulated in the Convention on the basis of non-discrimination, in particular access to work, health care, housing and social services as well as the right to effective legal remedies." CERD also urged Lebanon "to take measures to ameliorate the situation of Palestinian refugees with regard to the enjoyment of the rights protected under the Convention, and at a minimum to remove all legislative provisions and change policies that have a discriminatory effect on the Palestinian population in comparison with other non-citizens." CERD also addressed the issues of statelessness among those born to a Lebanese mother and a non-citizen father.

Amnesty International urges the Lebanese government to initiate debate on the recommendations of CERD in parliament and to make public details of the steps that it plans to take to implement them, and to report publicly on their implementation; these steps should include effective measures to end all forms of discrimination against Palestinian refugees in Lebanon and to ensure the respect and protection of their human rights. To this end, the Lebanese government should make the necessary changes to its domestic laws and policies to make them compatible with its obligations under international human rights law and to end all practices that prevent Palestinian refugees from enjoying their basic human rights.

Amnesty International recognizes and advocates the right to return of Palestinian refugees. Amnesty International believes that the fulfilment of the human rights of Palestinian refugees does not prejudice their continuing right to return and therefore cannot be used as a basis for denying or otherwise restricting the enjoyment by Palestinian refugees of their rights under international human rights law.

Background

Hundreds of thousands of Palestinians were forced to flee or were expelled from their homes and lands at the time of the establishment of the State of Israel in 1948 and again when Israel occupied the West Bank

and Gaza Strip in 1967. Many of them took refuge in Lebanon, where they remain today, together with their descendents. There are today about 400,000 Palestinian refugees in Lebanon and the majority of them live in refugee camps run by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). In addition, Lebanon has between 10,000 and 40,000 Palestinian refugees who are not registered with UNRWA and are not receiving any assistance from it. According to UNRWA, the hundreds of thousands of Palestinian refugees in Lebanon have the highest rate of people living in "abject poverty" in relation to other Palestinian refugee communities served by the organization.

Furthermore, Palestinian refugees who receive assistance from UNRWA are excluded from receiving protection under the 1951 Convention relating to the Status of Refugees and the Statute of the Office of the United Nations High Commissioner for Refugees (UNHCR) as both instruments exclude anyone who receives assistance from other organs of the United Nations from receiving international protection.