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**TOWARD A UNIFIED NATIONAL POLICY FOR THE PALESTINIAN REFUGEES**  
**AND**  
**A FUTURE VISION FOR THE LEBANESE PALESTINIAN DIALOGUE COMMITTEE**

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## **I- Prologue:**

At the end of June 2012, Prime Minister Najib Mikati called me to his office in the Grand Serail where he asked me to be the President of the Lebanese Palestinian Dialogue Committee (LPDC), following the resignation of my friend, Ambassador Abdel Majid Kassir. He explained to me the vital role played by the President of this committee on levels of the country, the Lebanese-Palestinian relations and Lebanon's international relations. Despite my thorough political knowledge of the Arab-Israeli conflict and the Palestinian issue, I was unaware of the mechanisms governing the relations between the state of Lebanon and the Palestinian refugees present on its territory and I dreaded this issue due to its intricate complications and to the accumulation of multiple Lebanese-Palestinian frictions throughout history. To be more accurate and transparent, I was not able to perceive the place of LPDC neither in the decision-making process of the Lebanese government nor in its consultancy process. In April 2013, when the Prime Minister resigned, I submitted my resignation from my position as the President of LPDC.

Despite the resignation, I noticed Prime Minister Mikati's great attention to keep deploying all efforts necessary to ensure the constant follow-up on the issues related to the Palestinian refugees and on the development of action mechanisms in accordance with the significant role vested in LPDC.

Therefore, we started preparing a road map to institutionalize the committee and give it a new mandate, while bearing in mind that this mandate should first protect Lebanon from the huge risks generated by the Palestinian presence and preserve the Palestinian refugees in Lebanon from any form of discrimination, threat or marginalization. It should also prevent any attempt to take advantage of the neediness of the Palestinians and use them in actions that may jeopardize the security of the state of Lebanon or their own security.

Our purpose is to set frameworks governing Lebanon's way of dealing with the refugees and displaced who have obligations and rights. I am fully aware of the tremendous complications of this issue and of the rifts between the Lebanese and the Palestinians regarding the mutual issues and claims, yet I also believe that we cannot stay helpless facing the problems affecting not only our society in general but also our country and its existence: recent history bears witness to this.

In order to devise solutions, we should start by sorting out the problems, loosening the nodes and disentangling them one by one to reach what the Lebanese people aspire to, i.e. spreading the state sovereignty on all the Lebanese territory and finding a solution to the issue of the Palestinian weapons, thus enabling the state to exercise its right of sovereignty on the camps. Besides, the rights of the Palestinian refugees in their houses, properties and camps shall be guaranteed and their security ensured; they shall also receive a humane treatment in compliance with human rights

laws and international law on the basis of the separation of issues. This will allow Lebanon to free itself from the burden of international pressure concerning this issue. Thus, it is only when the Lebanese government starts developing plans that it can put pressure on the international community to honor its commitments and formulate new ones, the first of which is a solemn promise by the international community to Lebanon and its Palestinian refugees guaranteeing “the right of return” and “the refusal of the permanent settlement of the Palestinians in Lebanon”. This will also allow Lebanon to set mechanisms for implementing the decisions of the Lebanese Dialogue table concerning the Palestinian weapons in accordance with Lebanon’s legitimacy and its sovereignty on all its territory.

Lebanon considers that the main problem resides in “the permanent settlement”, which is its natural right. As for the Palestinians, they consider that their human rights have not reached an acceptable level in Lebanon when compared with the other host countries such as Syria and Jordan.

Today, Lebanon is making sincere efforts to improve the life, socio-economic and security conditions of the Palestinian refugees, without however, overlooking the fact that the drastic solution to this issue, resulting originally from the insidious Israeli occupation of the Palestinian land, lies with the international community and with all the forces advocating the rights of peoples based on the principles of justice, equality and dignity and on the implementation of the United Nations resolutions, especially Resolution 194.

In order to be worthy of the responsibility entrusted to us in dealing with this highly-sensitive issue on a moral, national and human levels, it is essential to upgrade the levels of action by enhancing the performance and developing the organizational, administrative and executive mechanisms, so as to accumulate achievements by steadily moving forward in solving the pending problems and to guarantee Lebanon’s required readiness to face the likely fallout of any future development in the Palestinian cause.

Khaldoun EL CHARIF

President of LPDC

## II- Lebanese-Palestinian Relations: Overview

### 1- Key dates:

The Lebanese-Palestinian relations were governed by a series of intricate factors: historical, political, economic, social, national, regional and international. At the core of the Lebanese-Palestinian interaction, tactical and instant calculations often determined the mutual orientations, decisions and behaviors, which turned the Lebanese-Palestinian file into an extremely complicated and explosive one.

Based on this, and since the *nakba* in 1948, the Lebanese-Palestinian relations have witnessed a series of significant events that have marked these relations and influenced the turn they have taken.

For practical and research purposes, we have chosen to depict these events through a panoramic historical overview showing the political and security events as well as the decisions related to the Palestinian presence in Lebanon.

Date	Event
1948	The Palestinian exodus: approximately 117 000 Palestinians flee to South Lebanon following <i>the nakba</i> and the Declaration of the Establishment of the State of Israel.
1949	Armistice Agreement signed between Israel and Lebanon.
1950	The United Nations Relief and Works Agency for Palestine Refugees (UNRWA) starts its work after adoption of the relevant resolution by the United Nations General Assembly.
1950	The Lebanese government creates “The Central Committee for the Affairs of Refugees”.
1956	5000 Palestinians arrive to Lebanon following the Tripartite Aggression on Egypt.
1959	The Lebanese Ministry of Interior establishes the « Directorate of Palestinian Refugee Affairs ».
1960	“The High Commission for the Palestinian Affairs” is created.
1962	The Minister of Interior issues two ministerial decisions regulating the residence and work of Palestinian refugees as foreigners required to obtain a work permit before practicing any profession.
1964	The Palestinian Liberation Organization is established.

1965	The armed struggle is launched.
1966	The first armed clash between the Palestinian organizations and the Lebanese army.
1966	Lebanon signs the Casablanca Protocol with three reservations.
1967	The third exodus: Israel invades the West Bank and the Gaza Strip.
1969	The Cairo Agreement between the Palestinian Liberation Organization (PLO) and Lebanon is signed. This agreement was a landmark in the history of Lebanese-Palestinian relations, for it marked the beginning of relations with an officially-acknowledged Palestinian party i.e. the PLO even though the security and military provisions of this agreement overshadowed its humanitarian and legal clauses. This agreement clearly shows that Lebanon directly relinquished a part of its sovereignty on its territory (the camps) and acknowledged the Palestinian armed resistance. Neither the state of Lebanon nor its people chose this agreement. It was dictated by regional circumstances and it ended a period of clashes and fights between the leadership of the Palestinian resistance and the Lebanese army and their respective allies.
1970	Black September: clashes between the Jordanian authorities and the Palestinian resistance ending in the elimination of the armed Palestinian presence in Jordan and its transfer to Lebanon.
1975	The two-year war: The Palestinians were actively involved in it, which deeply affected their image and their relations with the Lebanese.
1976	The Syrian army enters Lebanon and becomes the “Arab Force of Dissuasion” with the participation of Arab forces in accordance with the Arab League Resolution.
1978	Israel occupies South Lebanon and creates a 10-Km buffer zone deep inside the Lebanese territory.
1982	Israeli invasion of Lebanon, which forced the PLO to leave Lebanon. Such departure led to the aggravation of unemployment and forced a lot of the camps inhabitants in Beirut and the South to flee.
1982	The Massacre of Sabra and Shatila.
1983	Fights between PLO supporters and opponents especially in the North and Bekaa camps.
1985/1987	War of the Camps in Beirut and in the South.
1987	The abrogation of the Cairo Agreement.
1991	The Lebanese government starts the dialogue with the Palestinians with regard to the social rights of the refugees and forms a Ministerial committee in parallel with the Madrid Conference.
1993	The Oslo Accords: The PLO and its institutions left Lebanon. The

	Accords separated the “right of return” file from the “negotiation for land” file. This led to tensions between the Lebanese and the Palestinians and derailed the work of the Dialogue Committee created in 1991.
2001	The law prohibiting Palestinians from owning property is issued.
2005	The Lebanese Palestinian Dialogue Committee (LPDC) is created.
2005	Lebanon grants the Palestinians the right to practice some professions which were restricted to Lebanese citizens.
2006	The PLO representation opens its offices in Beirut.
2006	Lebanon recognizes the Palestinian passport issued by the Palestinian Authority.
2007	Nahr El Bared War.
2008	The “Palestine Declaration in Lebanon” is launched.
2011	The Embassy of Palestine in Beirut is inaugurated in the presence of President Mahmoud ABBAS and Lebanese Prime Minister Najib MIKATI.

## **2- LPDC Inceptions in 2005**

In October 2005, the Lebanese Palestinian Dialogue Committee (LPDC) was created to fill the gap in the Lebanese administration, a gap resulting from the historical handling of the Palestinian presence in Lebanon from a security angle on one hand, and from the void created after the departure of the PLO to Gaza on the other hand (the PLO was providing 65% of the incomes of the Palestinians residing in Lebanon). LPDC was also created to provide an insight into Palestinian affairs, measure their impact on Lebanon and submit recommendations to the Government of Lebanon. The Committee encompassed an inter-ministerial working group tasked with the mission of addressing all Palestinian related issues in order to implement a policy aimed at improving the living conditions of Palestinian refugees.

An action plan was adopted after extensive consultation with both Lebanese and Palestinian experts who reviewed all the problems and put forward their recommendations and observations. These included a suggestion to create a committee attached to the office of the Presidency of the Council of Ministers in order to have a civilian leadership overseeing the Palestinian issue that had been mainly considered up until then as a mere security file. This committee would be entrusted with the power to coordinate with all ministries and work on taking the proper administrative measures that could improve the situation and build confidence, for it was urgent to reach a long- term pragmatic approach which would help defuse one of the most sensitive and explosive issues in the country.

The Lebanese government of national unity presided by Prime Minister Seniora laid the foundations of this policy and developed it. The wide representation of the political spectrum in Lebanon contributed to establishing the committee's work and to achieve a national approach that acquired large unanimity.

The tasks of the established working team encompassed the four following questions:

1. Improve the socio-economic, legal and security issues related to the Palestinian refugees residing in Lebanon, in collaboration with UNRWA;
2. Develop a policy to end the presence of Palestinian arms outside the camps;
3. Launch a dialogue on regulating the use of arms inside the Palestinian camps;
4. Examine the possibility of creating formal diplomatic relations between Lebanon and Palestine.

The governmental action plans was based on four guiding principles:

- a. Full respect to Lebanese sovereignty, security and the rule of law;
- b. Full support for all the rights of the Palestinian refugees, foremost of which is their right of return;
- c. Ensuring a decent life for Palestinian refugees pending a just and comprehensive solution to the Arab-Israeli conflict;
- d. Responsibility for solving the issue of refugees is to be shared with the international community.

### **3- LPDC after 2006**

The donor community responded positively to the idea of creating the committee and discussions started in early 2006 in order to establish a technical support team to assist the LPDC in achieving its mandate. The team was funded by the International Development Research Centre of Canada (IDRC).

The agreement was delayed by the July war of 2006 and discussions resumed in the fall of that year. The technical support team was established in January 2007 and started its activities. Again, its action was interrupted by the fighting between the Lebanese army and the Fath el Islam terrorist group, which destroyed the Nahr el Bared refugee camp (NBC) in North Lebanon.

The LPDC, presided by Ambassador Khalil MAKKAWI, played a vital role in managing the conflict and providing for the needs of Lebanese communities neighboring the camp, Relief efforts were exerted to cater for the displaced civilians, discussions about post war reconstruction of the camp were launched and preparations began to hold an international donor conference in Vienna.

The conflict and its fallout, together with the reconstruction process of NBC occupied the LPDC and stretched its resources. It was only in early 2009 that a strategy to gradually revert to the original mandate was developed.

#### **4- LPDC achievements**

LPDC policy was successful in the following fields:

1. It filled the void in the Lebanese administration in dealing with the issue of refugees;
2. It allowed the Lebanese Administration to build up a body of expertise and knowledge required for the Palestinian refugee issue, which greatly improved its performance;
3. It succeeded in engaging both Lebanese and Palestinian communities in the process with a very active and dynamic NGO sector and the involvement of civil society, academia, political parties and professional associations;
4. It reestablished relations with the PLO and maintained relations with all Palestinian factions;
5. It succeeded in gaining the support of the international donor community and NGOs for the Palestinian refugee issue in Lebanon.

The significance and magnitude of the above achievements can best be understood when compared with the situation before (i.e. before 2005) – the starting point was less than zero, especially with the absence of communication between the Lebanese and the Palestinians, the weak national expertise in this field and the unsteadiness of policies dealing with the sensitive issues.

#### **5- LPDC after 2013**

The challenges are still immense; they have been made more complicated with the arrival of over tens of thousands of Palestinian refugees from Syria due to the conflict raging there, which stretched the resources and capacities of both Lebanon and UNRWA.

The biggest challenge remains in maintaining the political will of the government in order to keep this issue high on their list of priorities, despite all the Lebanese and regional developments.

The issue of Palestinian Refugees in Lebanon is a highly political matter. Moreover, it is linked to every crisis and division in the Lebanese society since the *nakba*. A useful approach towards this issue would be to maintain the balance between the political and administrative dimensions which are both of equal importance but need separate processes. The future of LPDC and the future of Lebanese official handling of

the file highly depend on this idea of separating the mechanisms of the political and administrative dealing

The Committee has succeeded to a certain extent in instilling its place within the Lebanese administration, close to the decision making body of the Office of the President of the Council of Ministers. It has developed a coordinating and policy advisory role that has helped address many issues related to its mandate and to government policy. Its successive Presidents: Ambassador Khalil MAKKAWI, Esq. Maya MAJZOUB, and Ambassador Abdul Majid KASSIR developed a technical team that has created an identity of its own and played an important research and coordinating role not only within the government and administration but also with the civil society, the political establishments and even the international institutions.

However its main shortcoming lies in its lack of the decision-making and executive power within the administration and its far-fetched mandate as well as its exclusive dependence on donor funding until early 2013.

Throughout the last eight years, members of the LPDC have gained significant knowledge and expertise, which enables it to put forward an advanced future vision by preparing a draft of an action plan for the Lebanese Government on the short and medium terms.

In order to do that, the president of LPDC, Dr. Khaldoun Al Sharif, with the cooperation of the International Development Research Center of Canada (IDRC) which has accompanied the work of LPDC since its creation, has conducted a series of consultations with stakeholders that included:

- Former LPDC presidents and staff;
- Palestinian parties and factions;
- Lebanese political parties;
- International organizations active in the field;
- Lebanese and Palestinian NGOs and civil society organizations;
- Lebanese and Palestinian experts on the issue;
- Current ministers, representatives from Lebanese ministries and civil servants ;
- Internal consultation.

The assumptions prior to the consultations were the following:

- a. Building on the lessons learned from the past eight years and on the points of consensus related to this issue. It is time to re-evaluate the work of LPDC and reconsider its structure and mandate.
- b. LPDC depends totally on international funding; thus threatening its existence;
- c. The necessity to establish a government institution that would fulfill the executive functions necessary to deal with the Palestinian refugee issue in Lebanon in all its dimensions;

- d. The necessity to maintain a political and civilian administration of the issue and to avoid repeating the mistake of dealing with it from an exclusively security approach;

### **The Recommendations:**

- 1) Work on consolidating the experience and knowledge gained by LPDC in the last eight years to make it transferable to the successor institution;
- 2) Study the possible form of the new institution and its legal, institutional, administrative and executive functions;
- 3) Submit the proposal to the competent authorities for discussion and adoption.

### **The form of the new institution**

The participants in the consultations and workshops discussed five proposals envisaging the form of the forthcoming institution as follows:

- Ministry
- General Directorate
- Ministry of state and general directorate
- High commission
- Keep LPDC as it is

After a thorough discussion, it became clear that the most flexible and efficient structure is to turn the committee into a High Commission for the Palestinian Refugee Affairs presided by the Prime Minister and made up of members in the persons of ministers with a specific mandate defined by legislation.

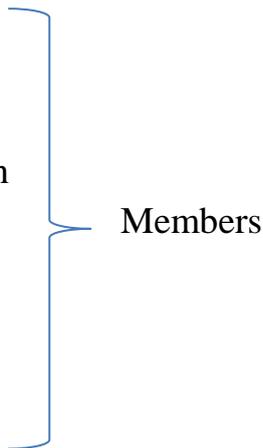
Based on this, a draft decree was prepared to refer the draft law to the Parliament for creating the High Commission for the Palestinian Refugee Affairs.

### III- Draft law for the creation of the High Commission for the Palestinian Refugee Affairs.

**Article 1:** This law stipulates the creation of a Commission attached to the Council of Ministers and called “The High Commission for the Palestinian Refugee Affairs”. It enjoys a legal personality as well as financial and administrative autonomy within the limits of its goals and functions.

The commission supervises all the issues related to the Palestinian refugees in Lebanon.

**Article 2:** The High Commission for the Palestinian Refugee Affairs consists of:

- The President of the Council of Ministers: President
  - The Vice-President of the Council of Ministers: Vice-President
  - The Minister of Foreign Affairs
  - The Minister of Interior and Municipalities
  - The Minister of Finance
  - The Minister of Public Works and transportation
  - The Minister of Defense
  - The Minister of Public Health
  - The Minister of Labor
  - The Minister of Energy and Water
  - The Minister of Social Affairs
- 
- Members

Other ministers may join the Commission, when need be and each according to his/her own specialty. The Commission shall seek the help of public and private administrations and institutions it deems necessary.

Help from the competent people is sought within the frame laid by the general principles governing the Public Accounting Law (holding tenders to outsource services) and the law of public service when contracting with persons for remuneration.

**Article 3:** The High Commission is in charge of the following functions:

1. Representing the Lebanese government in Arab and international forums that deal with the Palestinian issue.

2. Participating in the preparation of Lebanon's negotiation file regarding the Palestinian refugees' cause and the right of return.
3. Collaborating with and supervising the work of UNRWA in Lebanon as well as coordinating with the appropriate ministries and government departments.
4. Addressing the socio-economic, legal, and security issues related to the Palestinian camps in Lebanon in collaboration with UNRWA.
5. Coordinating with the ministries, institutions and official bodies with regard to the Palestinian issue.
6. Promoting and supporting the Lebanese-Palestinian dialogue as well as supervising and managing the Lebanese dialogue with all the Palestinian forces and factions.
7. Creating and managing the National Observatory for Palestinian Affairs.
8. Following and monitoring Palestinian affairs on the Arab, regional, and international scales.
9. Establishing an administrative structure for the Commission which encompasses the definition of its departments and services, their mandates and their responsibilities.
10. Adopting a financial system for the actions of the High Commission.
11. Accepting ad hoc donations to Lebanon. Such donations shall not be submitted to any taxes, customs duties, financial, municipality and port charges.

**Article 4:** The Commission's budget consists of:

1. Donations.
2. The state's contribution: the allotted sums should be included yearly in the general budget.

**Article 5:** The law is considered effective upon publication in the Official Gazette.

#### **IV- The General Organizational Structure of the High Commission for the Palestinian Refugee Affairs**

The suggested commission is a High Commission presided by the Prime Minister and made up of members in the persons of the competent ministers.

A Secretary General is in charge of managing and coordinating its work. He/ She shall be appointed for four renewable years.

The Secretary General is responsible for the good conduct of work within the commission and for the completion of the functions and duties vested in it in accordance with this proposal. He is in charge of the following functions:

- Prepare the schedule of the High Commission for the Palestinian Refugees Affairs and see to the implementation of its decisions.
- Represent the Lebanese government in regional and international forums dealing with the Palestinian issue.
- Cooperate and coordinate with UNRWA and supervise its work.
- Coordinate with donors and international organizations.
- Cooperate and coordinate with the various Lebanese Ministries and official institutions as well as the army, the security forces and the official and popular Palestinian institutions.
- Lead the team in the implementation of tasks.

The commission is formed of two departments:

1. The Planning Department
2. The Executive Department

### **1. The Planning Department:**

It includes:

#### **a- The Strategic Planning Division** whose role is to:

- Develop an action plan for the commission in the medium and long terms.
- Devise plans to improve the situation of the Palestinian camps and the surrounding areas in cooperation with UNRWA, international organizations and competent authorities
- Prepare studies and technical background documents to facilitate Lebanon's policy making concerning the issues related to the Palestinian refugees.
- Prepare draft proposals for funding.
- Prepare documents for Lebanon's participation in regional and international meetings.

#### **b- The National Observatory Division** whose role is to:

- Prepare a comprehensive survey and collect the information, data and studies related to the Palestinian presence in Lebanon in order to produce indicators serving as a tool for decision-making and policy-making.
- Monitor and document the developments and decisions pertaining to the Palestinian issue at the Arab, regional and international levels.

**c- The Legal Affairs Division** whose role is to:

- Prepare special draft laws that govern the affairs of Palestinian refugees in Lebanon and supplement them with legal studies regarding the Palestinian presence in Lebanon.
- Provide legal consultation to promote the Lebanese-Palestinian dialogue.

## **2. The Executive Department:**

It includes:

**a- The Coordination Division** whose role is to:

- Cooperate and coordinate with Lebanese ministries and institutions in charge of implementing the decisions related to the Palestinian presence in Lebanon.
- Carry out plans and projects within the action plan of the committee including cooperating and coordinating with the various NGOs working on the Palestinian issue.
- Carry out any task assigned by the Secretary General.

**b- The Communication and Media Division** whose role is to:

- Communicate with the various media outlets (written, audio-visual and electronic);
- Participate in preparing and organizing dialogues, meetings and workshops;
- Addressing the Lebanese and Palestinian public opinion to foster communication between them.
- Prepare the participation of the Lebanese Delegation to regional and international forums.

