

# **Displacement and Return Monitoring Unit:**

## ***A Preliminary Report on Mandates and Challenges***

**August 2007**

## Executive Summary

Based on its experience during the conflict between Hezbollah and the State of Israel, ALEF's Displacement and Return Monitoring Unit resumed functioning in the current crisis affecting North Lebanon, through funding of IKV-Pax Christi Netherlands and in partnership with Nouveaux Droits de l'Homme – International.

The Unit's goal is to assess the implementation of International legal instruments and standards governing the Return of Internally Displaced Persons.

The Unit has begun monitoring the situation of IDPs but cannot monitor the return aspect before this phase begins taking place. Therefore this Preliminary Report aims to present the Mandates and Challenges, along with Recommendations for action.

Primary responsibility lies with the Government of Lebanon (hereinafter GoL). Therefore, the GoL is a decision-maker at the overall level, through a Coordination Committee and a Steering Committee.

Nevertheless, because of the specific political situation of Palestinian refugees in Lebanon, it was decided commonly by the GoL and UNRWA (United Nations Relief and Work Agency for Palestinian Refugees in the Near East) that the latter would take the lead at the operational level, through leading cluster meetings.

Mandates of other United Nations agencies are defined by the United Nations Inter-Agency Standing Committee (IASC)'s Policy Paper. Agencies involved are the following: Food Agricultural Organization (FAO), International Labour Organization (ILO), Office of the High Commissioner on Human Rights (OHCHR), United Nations Children's Fund (UNICEF), United Nations Development Program (UNDP), United Nations Fund for Population (UNFPA), the World Bank, World Health Organization (WHO).

All the aforementioned agencies will participate at different levels in the reconstruction and return process, according to their mandates, in coordination with UNRWA.

Non-governmental Organizations (NGOs) and International NGOs will also be involved in the process.

Challenges identified are the following:

- 1) Safety (inside and outside the camp)
- 2) Shelter (Property issues; Shelter-related issues; Rubbles; Psycho-social concerns)
- 3) Community-involvement and communication
- 4) Employment
- 5) Funding
- 6) Protection of vulnerable groups (Education; Non-registered Palestinians; Tensions between local, host and IDPs communities)

Recommendations address these challenges, through advices from actors from field and study of examples implemented worldwide.

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## List of abbreviations

FAO	Food Agricultural Organization
FI	Food Items
GoL	Government of Lebanon
HRC	Higher Relief Council
IASC	Inter-Agency Standing Committee
ICRC	International Committee of the Red Cross
IDPs	Internally Displaced Persons
ILO	International Labour Organization
LMAC	Lebanese Mine Action Center
LRCS	Lebanese Red Cross Society
MAG	Mines Advisory Group
NBC	Nahr el-Bared Camp
NGO	Non-governmental organizations
NFI	Non-Food Items
OCHA	Office for the Coordination of Humanitarian Affairs
OHCHR	Office of the High Commissioner on Human Rights
PRCS	Palestinian Red Crescent Society
UN	United Nations
UNDP	United Nations Development Program
UNFPA	United Nations Fund for Population (formerly United Nations Fund for Population Activities)
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund (formerly United Nations International Children's Emergency Fund)
UNRC	UN Resident Coordinator
UNRWA	United Nations Relief and Work Agency for Palestinian Refugees in the Near East
UNSR	United Nations Security Risk Assessment
UXOs	Unexploded Ordnances
WATSAN	Water and Sanitation
WFP	World Food Program
WHO	World Health Organization

## Introduction

ALEF's "Displacement and Return Monitoring Unit" (hereinafter DRMU) on Nahr el-Bared situation resumed functioning on June 28th. It draws on ALEF's previous experience during the armed conflict between Hezbollah and the State of Israel, in the summer of 2006<sup>1</sup>.

As a result of the fighting which broke out on May 20<sup>th</sup> between members of the militant group Fatah el-Islam and the Lebanese army, the vast majority of inhabitants of the Nahr el-Bared Palestinian refugee camp in Northern Lebanon have fled their homes.

As of August 6<sup>th</sup>, 2007, UNRWA estimated that 31.565 persons are Internally Displaced, including both Lebanese and Palestinians. The vast majority of them have fled in waves, most to the nearby Beddawi camp where they have found shelter with relatives and friends or in UNRWA schools. The population of Beddawi Camp has more than doubled as a consequence of this influx of displaced refugees from Nahr el-Bared Camp (hereinafter NBC), leading to pressures on the infrastructure and services at Beddawi camp as well as the coping mechanisms of both the displaced and host refugee families. A smaller number of the displaced refugees from NBC have moved to other Palestinian refugee camps in Beirut, Sidon and Tyre or found refuge with relatives in nearby villages in northern Lebanon<sup>2</sup>.

Despite Minister of Defense Elias Murr's statements on June 21<sup>st</sup> according to which the military operations were over<sup>3</sup>, clashes have not stopped on the ground. It is estimated that 60 persons are still inside the camp, reportedly families (wives and children) of members of Fatah el-Islam.

Therefore, as stated in the DRMU Concept Paper, the mandate of the Unit is the following:

- Monitor the respect of Human rights, mainly of the vulnerable segments (children, women, persons with disabilities, chronic patients....etc.) inside the new displacement locations, by the authorities, de facto parties, host community, etc.
- Monitor the return conditions of the displaced population after the cessation of hostilities.
- Produce and disseminate reports to a distribution list of concerned stakeholders about the situation of Human rights in the present context
- Produce a comprehensive final report to be published

In order to monitor these aspects, the DRMU can rely on International legal instruments governing the status and protection of Internally Displaced Persons (hereinafter IDPs) as follows:

- Relevant provisions of International Humanitarian Law and International Customary Law
- Core principles of Human Rights law, along with HR instruments which applicability cannot be suspended during times of armed conflicts

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<sup>1</sup> See ALEF, *Lebanon-Israel: The "July War" from a Human Rights Perspective*, (July-August 2006), August 2006.

<sup>2</sup> Source: UNRWA return plan, July 16<sup>th</sup>, 2007

<sup>3</sup> *L'Orient le Jour*, [L'armée libanaise « nettoie » Nahr el-Bared, Fateh el-Islam se réfugie dans l'ancien camp](#), June 22nd, 2007

- The United Nations Guiding Principles on Internally Displaced Persons (1998), of a non-binding nature but to date the most comprehensive soft-law in this regard, especially its articles 28 to 30 dealing with the return of IDPs.
- The Pinheiro Principles on Housing and Property restitution for refugees, which are of a non-binding nature, but have been endorsed by the United Nations in August 2005.

Based on the above, ALEF has already started gathering information and identifying challenges but it is only after hostilities are over that ALEF can start the actual monitoring activities of the return conditions.

In this framework, this report presents preliminary findings regarding mandates of relevant authorities, especially the Government of Lebanon (hereinafter GoL) and United Nations (UN) Agencies (I), along with challenges faced by stakeholders (II) and recommendations (III).

ALEF's follow-up of the situation during the on-going emergency phase enabled it to identify the six following challenges, some of which are interrelated:

- 1) Safety (inside and outside the camp)
- 2) Shelter (Shelters-related issues; Rubbles; Psycho-social concerns)
- 3) Community-involvement and communication
- 4) Employment
- 5) Funding
- 6) Protection of vulnerable groups (Education; Non-ID Palestinians; Tensions between local, host and IDPs communities; Women, disabled persons, elderly persons)

Findings for this research were obtained through second-hand research, field-visits, and attendance of UNRWA's "cluster meetings" on specific issues, as well as interviews with relevant stakeholders.

ALEF has been attending the "protection" cluster meeting since July 19<sup>th</sup> and the "shelter" cluster meeting on July 23<sup>rd</sup>. The Protection Cluster is headed by the OHCHR and gathers representatives of UN Agencies, INGOs, and local NGOs.

Besides, the following stakeholders were contacted:

Organization	Name	Job Title
ACTED	Angel Pascual	Project Manager
Hariri's Foundation	Khodor Muhur	Akkar Zone Coordinator
Handicap International	Francois Zamparini	Project Manager Beirut
High Relief Commission	Sana El Jack	Press Officer
ICRC Beirut	Sherine Paulini	ICRC delegate
ILO	Julien Magnat	Socio-Economic Recovery Specialist
Lawyer of New Camp land's owner	Ibrahim Hassan	Lawyer of some of the heirs of Rafik el Mradi
Lebanon Support	Bassem Chit	Direct Response Unit Project Coordinator
Mine Advisory Group	David Horrocks	Lebanon Program Manager
Nabaa	Michael Romig	Program Administrator
Premiere Urgence	Alexandre Giraud	Head of Mission

Save the Children-Sweden	Jumanah Zabaneh	Regional Project Manager for Education
UNICEF	Elias Diab	Assistant Program Officer
UNICEF	Maha Damaj	Child Protection Officer
UNRWA General	Hoda el-Turk	Spokesperson
UNRWA Shelter	Ivan Vuarambon	Shelter Cluster Representative

## I. Definition of Mandates: UNRWA as the lead-agency coordinating action of other stakeholders

### 1) Coordination Overview

First of all, under the terms of the Guiding Principles, “the primary duty and responsibility to provide protection and humanitarian assistance” to IDPs falls with National Authorities, namely the GoL<sup>4</sup>.

Nevertheless, because of the specific situation of Palestinian refugees in Lebanon, it was decided that the United Nations Relief and Work Agency for Palestinian Refugees in the Near East (UNRWA) would take the lead in the current situation. No document could be secured regarding this *ad hoc* agreement between the UN and the GoL.

Notwithstanding, it should be noted that UNRWA is only responsible for the part of the camp known as the “old camp”, whereas the “new camp” is under responsibility of the Lebanese Government. (see Map, Annex 1<sup>5</sup>)

Taking the above into consideration, a **Coordination Committee** was set up under the auspices of the Prime Minister within days of the crisis operating the *overall* coordination and including the following stakeholders:

- 1) The Prime Minister’s Office
- 2) UNRWA’s Director
- 3) The UN Resident Coordinator, who is also the UNDP Resident Representative
- 4) UNICEF,
- 5) The Red Cross / Red Crescent Movement,
- 6) The Higher Relief Council<sup>6</sup>.

Lately, a **Steering Committee** was set up, to deal with technical aspects of the reconstruction and to gather assessments produced by all actors on field. The Committee is composed of the following actors:

- 1) The Lebanese-Palestinian dialogue committee<sup>7</sup>
- 2) UNRWA’s Director

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<sup>4</sup> Guiding Principles, Principle 3

<sup>5</sup> UNRWA’s area of responsibility is that labeled A to D.

<sup>6</sup> The Higher Relief Council (HRC), under section 22, as decreed by the Government of Lebanon is the official government organization responsible for handling humanitarian crises and disasters in Lebanon. It is responsible for directing and coordinating all local, regional, and international donations received by the GoL. Its duties include setting up distribution channels and insuring that the donations are received by those in need. The HRC handles all administrative and financial processes required for setting up relief centers and receiving donations. Moreover, it is in charge of all logistics such as warehousing and transportation. In its efforts to assist the Lebanese people, the HRC also has the right to use needed resources from other government ministries and agencies.

Source: <http://www.lebanonundersiege.gov.lb/english/F/Info/Page.asp?PageID=127>

<sup>7</sup> In the PM’s office, the Lebanese-Palestinian dialogue committee has the political mandate of tackling the Palestinian issue in the Lebanese context, and to try to ease the situation of Palestinian refugees in Lebanon. It is headed by former Ambassador Khalil Mekkawi. Source: UNRWA’s Information Officer

- 3) UNDP
- 4) The World Bank
- 5) The Lebanese army
- 6) Council for Development and Reconstruction<sup>8</sup>
- 7) Khatib & Alami, a construction company<sup>9</sup>

Communication between the Coordination Committee and the Steering Committee is informal, and is supposedly filtered back through the Prime Minister's Office.

Therefore, at the *operational* level, **UNRWA is the lead-agency** regarding all return-related issues and it operates through what is known as "cluster meetings" each of which deals with one aspect of the crisis, such as shelter, protection or health, among others. UNRWA has several specialized services, including the following: Relief and Social Services; Procurement and Logistics; Health; and Education.

Besides, it should be noted that respective mandates of **United Nations agencies** in IDPs-related issues are defined by the Inter-Agency Standing Committee Policy Paper of 1999 on the "Protection of the IDPs"<sup>10</sup>.

At headquarters level, the **Emergency Relief Coordinator**, based in New York city, acts as the focal point for the inter-agency coordination of humanitarian assistance to IDPs.

At field level, the aforementioned **UN Resident Coordinator** (hereinafter UNRC), in this case UNDP Resident Representative, Dr Mona Hammam, is responsible for the strategic coordination. The UNRC leads a UN Country Team Meeting since June 21st, which aims is practically to support UNRWA, through co-signing documents prepared by the Agency.

The **Office of the High Commissioner on Human Rights** (OHCHR) leads a Protection Working Group. The Group is "field-driven/oriented forum serving to address protection and human rights concerns in NBC and the immediate environs and to provide a forum for exchange of information and opportunities for UN agencies, non-governmental organizations and authorities working in the field and at central level to respond to the protection needs of the affected population"<sup>11</sup>. ALEF has been attending PWG's meetings since July 19th.

The **United Nations Children's Fund** (UNICEF)'s mandate demands that it acts whenever and wherever women and children- families- are vulnerable. In the current situation, UNICEF provides assistance in the area of maternal and child health-care, water supply, hygiene and landmines' awareness; and psycho-social support for children in all the schools.

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<sup>8</sup> The CDR defines itself as "a public authority established in early 1977 by DL no. 5, [...] to be the government unit responsible of reconstruction and development".

Source: <http://www.cdr.gov.lb/whats.htm>

<sup>9</sup> Khatib & Alami is "a multidisciplinary architectural and engineering consulting company, offering its services in Architecture, Planning, Structural, Electrical Utilities, Mechanical, Transportation, Environmental, Telecommunication, Industrial and Process Engineering; Geographic Information Systems (GIS) and Information Technology (IT)".

Source: <http://www.khatibalami.com/profile1.shtml>

<sup>10</sup> Inter-Agency Standing Committee Policy Paper, Annexes A and B

Source: [www.reliefweb.int/idp/docs/references/iascpolicyprotectionpaper.pdf](http://www.reliefweb.int/idp/docs/references/iascpolicyprotectionpaper.pdf)

<sup>11</sup> ToRs for Protection Working Group for Return Plan to Nahr El Bared Camp, North Lebanon (PWG-North). Source: UNRWA / OHCHR

The **United Nations Development Program** (UNDP)'s role will take place during the resettlement phase, along with the **World Bank's**. UNDP's mandate is that of recovery, according to the three following elements:

- Assessment (in coordination with the World Bank)
- Rubble-removal
- Livelihoods

The issue of respective mandates of UNDP and UNRWA in the Return phase remains to be defined. The **International Labour Organization** (ILO) will also be included in technical aspects of the reconstruction.

Discussions are under way for the **Food Agricultural Organization** (FAO) and the **United Nations Population Fund** (UNFPA) to get involved in the Return phase, through providing agricultural livelihoods to IDPs.

The **World Health Organization** (WHO)'s mandate is to "provide or assist in providing health services and facilities to special groups". So far it has supported UNRWA technically through providing guidelines and training to the Agency's team. It participates to the Health cluster meeting lead by UNRWA. It will be involved in the return phase.

The three following agencies do not have a role in the current crisis or in the return phase:

- **Office for the Coordination of Humanitarian Affairs** (OCHA), because it intervenes only when the operational ability of UN Agencies is undermined.
- **United Nations High Commissioner for Refugees** (UNHCR) because it normally takes up the case of Palestinian refugees only when they are outside UNRWA's area of operations. In the current situation, UNRWA's operations include all persons displaced by the Northern crisis, be they registered Palestinian refugees, non-registered Palestinian refugees, or Lebanese citizens previously living in or around NBC.
- **World Food Program** (WFP) has been involved in a limited way through sending advisers on security issues in the North. It is not –planned so far that it will be included in the Return process.

**Non-governmental organizations** (NGOs) and **International NGOs** are also involved in the current crisis at different levels. They include, but are not limited to, the following organizations: ACTED, Frontiers, Nabaa, Norwegian Refugee Council (NRC), Premiere Urgence, Save the Children – Sweden, and other Palestinian and Lebanese civil society organizations.

## 2) UNRWA as the lead-agency

### **Action Plan**

A UNRWA draft plan for return was submitted by UNRWA to the Lebanese government on July 10<sup>th</sup>, and updated on July 16<sup>th</sup>, 2007 but its approval has been reportedly delayed due to changes proposed by the government<sup>12</sup>.

The proposed plan encompasses health / social / education and reconstruction aspects, through the following three phases:

- **Phase I:** Address protection concerns of non-combatants inside and outside Nahr el-Bared camp (thereinafter NBC); emergency assistance to the remaining population in NBC through quick assessment and clearance of UXOs and booby-traps and marking of unstable buildings; rubble removal; distribution of water; disinfection; emergency medical support; distribution of food and non-food items (thereinafter FI and NFI); awareness-campaigns on safe return.
- **Phase II:** Facilitate deployment into NBC through UXO clearance of shelters, fixing of damaged houses; rubble clearance of roads and alleys; immediate repairs of water and sewage system; provision of health and psychological assistance; garbage collection; distribution of FI and NFI; interventions based on labor-intensive methodology. Establish a protection system under the leadership of OHCHR to ensure safe return in dignity with particular reference to vulnerable groups.
- **Phase III:** Consolidate the return process through temporary solutions for those whose houses have been destroyed; rubble clearance; distribution of water, FI and NFI; repairs of water and sewage network; provision of social services; solutions for school year 2007-2008; employment-promotion programs; present recovery needs-assessment to donors.

### **Coordination with other stakeholders**

Apart from the mentioned institutionalized cooperation, UNRWA will occasionally coordinate with the Department for the Administration of Political and Refugee Affairs, placed under the control of the Ministry of Interior. The Department is in charge of dealing with all Palestinian refugees of both 1948 and 1967 on specific administrative issues such as issuance of travel documents.

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<sup>12</sup> Information secured from a Protection Working Group Meeting July 19, 2007.

## II. Challenges

### 1) Safety

- **Safety Inside the camp: Mines / UXOs and Unstable Buildings**

The two following actors will be responsible of the safety inside the camp: the UN Security Risk Assessment (UNSR) and Mines Advisory Group (MAG).

Immediately after the complete cessation of hostilities, both teams will assess, clear and open main vehicle access routes in the camp for the purpose of pre-positioning humanitarian aid such as mobile medical clinics, water tanker deliveries, food supplies and other vital aid.

In this regard, the local Lebanese Military Commandership has in principle agreed to create an 'assessment window' in which the route assessment teams will be permitted to re-enter into the camp.

MAG will work on the basis of a contract with the Lebanese Mine Action Center (LMAC), which is responsible for mines at the Ministry of Defense, and therefore the relevant authority to liaise with the army.

Regarding UNSRA and MAG's technical work, booby-trapping will be the main challenge, as opposed to UXOs' clearance. Neither MAG, nor the army knows the situation in the "old camp" regarding types of ammunition used. Handicap International signaled that there is also information according to which there are trapped corpses<sup>13</sup> and trapped objects (such as TVs) in the camp.

Structural assessment will be lead by UNRWA's structural engineers after clearance has been given regarding UXOs.

- **Safety Outside the camp: Crowd-control**

Nabaa, a Palestinian grass-root association, lead an assessment which revealed that the main aim of IDPs when the fighting is over is to recover their belongings (such as IDs and gold). Therefore, both for UNSRA/MAG and the Lebanese army, crowd-control will indeed be a very challenging issue as most people will try to come back to the camp as soon as hostilities are over.

In this regard, MAG coordinated with the Palestinian Popular Committee in Beddawi to prevent IDPs from coming back before clearance is given. MAG also coordinated with UNICEF to develop an UXO's awareness program, through training of trainers.

It was nevertheless reported by some actors that the Lebanese army is neither trained nor equipped to face this crowd-control challenge (there is a lack of water canon, rubber bullets' weapons...). The Protection Working Group is working on this issue, through liaising

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<sup>13</sup> Information secured from Francois Zamparini, Handicap International, July 2007.

with the ICRC and the Office of the UN Special Coordinator for Lebanon, which both liaise with the Lebanese army.

## **2) Shelter**

### **• Shelters as a Temporary Solution**

Ten land plots have been identified by UNRWA around NBC, and the Agency is now relying on this location to build temporary shelters. The Agency is waiting for the GoL to confirm UNRWA's right to build shelters on the land, supposedly on August 24<sup>th</sup>.

Discussions are now around the type of shelters to be built and talks are being lead with the Palestinian Popular Committees to elaborate a sample model of shelters. UNRWA wants to build "less than a house but more than a tent", according to UNRWA's Shelter Coordinator. The Agency will fit the Sphere standards<sup>14</sup> and build 17.5 square meters shelters for a family of five persons. It is to be noted that tents are not an option, because of the emotional weight they carry for refugees who may have experienced displacement. Latest discussions centered around the possibility to build wooden shelters, but stalled on the risk that fire may break out and on the cost of such an option.

Yet another challenge will be the month of Ramadan event, beginning mid-September, for which people will need decent conditions to celebrate and fast.

### **• Rubbles**

Half a million cubic meters of rubble are to be evacuated. Therefore, there is a need for the following:

- A dumping site
- A crusher
- Methods to deal with issues of recovery of personal belongings trapped inside the rubbles

The main concern will be financing, as total rubble-removal will require between 5 and 10 million dollars. This will be included in the next Emergency appeal, but in case the funding cannot be secured, UNRWA will rely on workforce rather than investment and funding.

### **• Psycho-social concerns**

Fears have been voiced by IDPs that the social fabric of the camp will be changed by the rebuilding. UNRWA claims to be willing to take this fear into consideration but also warned against the Bint Jbeil precedent in which a year after the crisis, nothing has been rebuilt because of conflicts over how to do so.

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<sup>14</sup> The Sphere Project is a humanitarian charter defining the minimum standards in disaster response. <http://www.sphereproject.org/index.htm>

Another area of concern is linked to the fact that in order to access to some buildings, UNRWA's reconstruction team will need to destroy others. This may trigger misunderstanding from the IDP community.

### 3) Community Involvement

Lebanon support is a platform of coordination of relief efforts in Lebanon<sup>15</sup>. It has voiced criticism to UNRWA regarding the following aspects:

- The fact that no return plan has been released so far, especially regarding shelters, is a factor of misunderstanding. IDPs say there is a lack of transparency by UNRWA. There is a need for increased communication by the Agency to avoid rumors.
- UNRWA's weak coordinating role of NGOs' activities and its lack therein.
- UNRWA's weak protection role: the fact that "protection" in itself is not in the mandate of UNRWA should not allow the Agency not to take any action on protection-related issues, such as the one of Non-IDPs Palestinians, according to Lebanon Support.

The Nahr el Bared Relief Campaign's<sup>16</sup> representative repeatedly voiced concerns regarding the limited consideration being given to the voice of the community. Especially, the representative insisted on the impression on behalf of the community that it was being lectured rather than listened, and that neither their comments, or their fears, nor their criticism were being heard.

Architects involved in the Shelter cluster meeting also insisted how much the IDPs community fears that the rebuilding of the camp would not respect social features of the former camp (see above).

### 4) Employment

The main challenge is that 55% of active persons have lost their employment, among which the following:

- 1/3 working in construction sector: Out of these, many are semi-skilled and not very-skilled.
- 1/3 in small businesses and restaurants: many of these do not have access to micro-finance and do not have management skills.
- 1/3 in education<sup>17</sup>

UNRWA states it will make its utmost to employ Palestinians in the reconstruction work, both through the Follow-Up Committee for Employability of Palestinian Refugees in Lebanon and

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<sup>15</sup> <http://www.lebanon-support.org/aboutus.php>

<sup>16</sup> The Campaign defines itself as "a grouping of unaffiliated individuals, including students, professors, and activists working on relief and civil action to end the violence and offer aid to those injured and displaced due to the Nahr el Bared conflict". <http://www.nahrelbaredcampaign.org/?q=node/1>

<sup>17</sup> Interview with the Julien Magnat, ILO, July 2007.

See also FAFO, *A Socio-Economic Profile of the Nahr el-Bared and Beddawi Refugee Camps of Lebanon*, 2007, based on a survey conducted in Fall 06.

the ILO. The Committee is part of the greater negotiation UNRWA has been leading with the Lebanese government on the Palestinian issue for a year. The Swiss Development Association gave some funds for this purpose in the past. The Committee is composed of representatives of foreign governments, the Lebanese government, NGOs and UNRWA. It may extend its activities in the current crisis.

The ILO is currently working under an Emergency phase that will last for three months and encompass the current crisis. ILO will first lead a needs-assessment study regarding socio-economic needs on the short term (0 to 3 months) and the medium term (3 months to a year). Once the survey phase has been completed, it will lead 3 types of employment creation activities, as follows:

- Emergency Temporary Jobs, such as cash-for-work activities, emergency employment services and short cycle training. ILO will provide guidelines in this regard such as the following:
  - o time necessary to remove the rubble and to rehabilitate infrastructure
  - o wage per hour (to ensure consistency between different NGOs and agencies)
  - o legal working hours per day
  - o working conditions...
- Employment opportunities at the local level.
- At a later stage, micro-finance activities may be implemented.

ILO has experience working in post-crisis management in Lebanon, as it had such a program in the South following the July war. Therefore, ILO will coordinate with local stakeholders as it sees fit.

## 5) Funding

It issued a first “Flash appeal” of 12.7 million dollars on June, 4<sup>th</sup>, 2007 to cover immediate needs and accommodation for refugees. It received pledges exceeding this amount, but only 5 millions were actually received from the UN Center for Emergency Response. If there is extra-funding left over from the Flash appeal, UNRWA will redirect it for return upon approval of donors. UNRWA therefore relies on further donations to implement the return plan.

Despite the fact that no precise assessment could be led, it was reported through various cluster meetings that the following amounts would be necessary:

- 3 to 4 millions USD to build temporary schools
- 20 millions USD for shelters

According to the latest information, the preparation of the Emergency Appeal was under way, encompassing the period September 1 – February 28<sup>th</sup>, 2008. It was nevertheless signaled that this Appeal was based on assumptions, and it is only after the military operations are over and assessments are led, that UNRWA can issue an accurate Appeal.

## 6) Protection challenges

### • Education and Children Protection

For the school year 2006-07, an agreement was reached by UNRWA with the Lebanese government for public schools in Tripoli to be used by children IDPs. Remedial classes resumed on Saturday, July 14<sup>th</sup>, 2007, with a total of 4000 students. UNRWA reported results of exams in its schools were quite good compared to those of public schools.

It is to be noted that there is a difference between the status of governmental schools and that of UNRWA:

- Governmental schools have to be emptied before the beginning of the school year 2007-08 therefore adding 202 families to be sheltered.
- UNRWA schools, hosting 367 families, may be used temporarily as shelters and children will be sent either to Lebanese schools operating double shifts, or to prefabricated UNRWA schools.

UNRWA is expecting more than a month delay for back-to-school time, now expected around the beginning of November (as of August 16<sup>th</sup>).

Other than schooling, the following challenges will be faced by children:

- Equipment and rehabilitation for children with special needs
- Children with learning disabilities
- Child-abuses and domestic protection
- Drop-outs rates and child's labour

UNRWA and Save the Children-Sweden are acting in order to overcome these challenges. Specifically, the former advocates vocational training for children, and the latter has a program aiming to decrease drop-outs.

### • Women and other vulnerable groups

Principle 4 paragraph 2 of the Guiding Principles states that "Certain internally displaced persons, such as children, especially unaccompanied minors, expectant mothers, mothers with young children, female heads of household, persons with disabilities and elderly persons, shall be entitled to protection and assistance required by their condition and to treatment which takes into account their special needs"<sup>18</sup>.

It is to be noted that protection of vulnerable groups in the current crisis is not dealt with specifically by any agency.

Especially, UNFPA's mandate consists in dealing with women, but UNFPA has only been requested to support UNRWA on technical aspects, such as training on gender-related issues.

Also, needs of persons with disabilities, persons with chronic diseases, and elderly persons are not properly taken into account.

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<sup>18</sup> Guiding Principles on IDPs, *op. cit.*

- **Non-ID Palestinians**

This issue of non-ID Palestinians has been regularly brought up during United Nations Protection meetings. Three thousands Palestinians in Lebanon fall into a legal gap as they are neither registered by the UNRWA or the Lebanese government. They cannot obtain documents to travel abroad, are subject to arrest outside their camps, and are not eligible for social, economic, and health services provided by the UNRWA.

Therefore, these “Non-IDs” can easily be arrested, and detained because of their lack of ID. The Protection Working Group is working on this issue, through liaising with the ICRC. The latter has recently reported that the number of arrests has slowed down, but this remains a cause for concern.

- **Lack of data on non-Palestinian IDPs**

Some Lebanese citizens were residing in the camp prior to the crisis. Legally they do not fall within UNRWA’s mandate. Nevertheless, the Agency extended its provision of services and humanitarian aid to all IDPs, without distinction as to their status.

Still, there is a lack of data as to this particular category of IDPs and possible hardships and / or discrimination they may face.

- **Expanding gap between the Lebanese and Palestinian communities**

The gap between the Lebanese and the Palestinian communities threatens to widen as fears and misunderstanding on both sides are obvious. Fearful and one-sided interpretations of events are usual readings by both communities.

In this regard, the *OCHA Handbook on applying Guiding Principles* (1999), insists that “international organizations, along with national authorities, should assess (...) attitude of the local population towards the return of the displaced”.

### III. Recommendations

It should be reminded that even though events take place during the summer, a usual holiday period, stakeholders should nevertheless show the utmost level of commitment to the situation. It was noted by ALEF during its assessment that many high-level staff were on leave during the emergency and that some agencies had ended their emergency period, hence preventing critical decisions from being made. In this regard, ALEF insists that all actors involved at any level should put additional efforts and staff in order to ensure a rapid and suitable solution to the crisis.

- **Safety and Crowd-control**

☞ **Recommendations to UN agencies and NGOs: Prevention**

- It has been reported that a satellite television station proposed to screen MAG's operations in Nahr el-Bared on a daily basis to show IDPs in Beddawi that there is a plan for their return. The station should be provided with additional funding in order to be able to lead its activities.
- Awareness-raising activities explaining the necessity of demining to the IDPs would go a long way towards easing the crowd-control challenge. In this regard, awareness-raising should be included not only in activities involving vulnerable groups, but in every activity lead with the IDP community as a protection measure.

☞ **Recommendations to the Lebanese army: Protection**

- The parties should keep in mind at all times the rules of International law and Human Rights law. Notably, when hostilities are over, International Human Rights instruments such as the International Covenant on Civil and Political Rights, ratified by Lebanon in 1972, apply in their entirety.
- In this regard, the Lebanese Army should exercise maximum restraint when dealing with civilians, and specifically be ready to use non-violent methods unless the situation does not allow for it. Use of weapons should be considered a last resort solution.
- The Lebanese army could train its soldiers to crowd-control techniques, a skill it could use later in other situations.

- **Shelter**

☞ **Recommendations to the UNRWA and other actors**

- To meet the challenge of finding a dumping site for the rubbles, some local actors have proposed pouring them into the sea. It should expressly be reminded that the Right to a healthy environment is a basic human right, as stated in article 12 of the International Covenant on Economic, Social and Cultural Rights, ratified by Lebanon in 1972.

- **Community-involvement and Communication**

☞ **Community-involvement: Recommendations to UN Agencies and grass-roots NGOs**

- The Guiding Principles place a specific focus on the participation of IDPs in their return. Specifically, Principle 28 Paragraph 2, reads as follows: “Special efforts should be made to ensure the *full participation of internally displaced persons in the planning and management* of their return or resettlement and reintegration”<sup>19</sup>.
- As the concept of “community-involvement” grew each time more important to field-workers, literature also produced useful tools on this concept<sup>20</sup>.
- Based on this research, it is suggested in the present report that UN Agencies and grass-roots NGOs should implement the following steps to ensure community-participation in the case of the Nahr el-Bared situation:
  - Work with the community to identify the women and men, young and old, who will represent them
  - Provide community leaders with the outcome in a summary format
  - Identify the different leadership styles and note those [...] who interact with all members of the community
  - Ensure that traditional leaders are informed and supportive of the initiative.
  - Convene consultations with leaders of displaced groups *prior to* return or resettlement of women and all important segments of the displaced community
  - Convene consultations among leaders of displaced communities, local authorities, and international organizations involved
- As a tool to implement the aforementioned steps, working group discussions should be implemented. The questionnaire defined by the Sri Lanka Practitioner’s Kit<sup>21</sup> could be used as a basis for implementing the Guiding Principle 28 (see the Questionnaire in Annex 2).
- In any activity, a comprehensive geographical involvement should be used as a criteria, keeping in mind that IDPs are spread not only around NBC, but also in Beirut and other Lebanese camps.

☞ **Community-involvement: Recommendations to the Palestinian Community**

- UNRWA has expressed its difficulty to find a unique representative of the Palestinian community, truly accepted as such by all parties and factions. Therefore, the IDP community should select a representative committee, composed of grass-root non-

<sup>19</sup> Guiding Principles, Emphasis added.

<sup>20</sup> Mainly, the following documents have been used:

UNHCR, *A Community-Based Approach in UNHCR’s Operations*, June 2007

IASC Policy Paper Series number 1, *Handbook on Applying the Guiding Principles*, 1999.

<sup>21</sup> Consortium of Humanitarian Agencies, “Practitioner’s Kit for Return, Resettlement, Rehabilitation and Development: An Agenda for a Call for Action”, Sri Lanka (2004).

- partisan individuals, to act as an intermediary between the IDPs and relevant authorities.
- Once a representative committee is selected, it would attend cluster meetings and act as an intermediary between the community and UNRWA through expressing ideas or concerns of the community to UNRWA and conversely inform the community about UNRWA's actions.

#### **Communication: Recommendations to UNRWA**

- Recently, UNRWA seems to have better taken into account concerns about its communication strategy vis-à-vis the IDPs' community, especially through the creation of a Camp Information Officer based in Beddawi. Nevertheless, several elements should be reminded in this regard:
  - o Past experiences, overcrowdedness and the general social fabric of the Palestinian community make it permeable to rumors. This permeability of the community should be clearly kept in mind when defining a communication strategy.
  - o Also, CSOs close to the community insisted that no one less than high-ranking UNRWA persons in charge would be trusted as an accurate source of communication. Therefore, not only UNRWA field workers, but UNRWA's officials should be available to answer questions and diffuse concerns of the community.
- For this purpose, an institutionalized mechanism should be set up to ensure a clear line of communication between the Agency and its beneficiaries, not only on specific aspects, but also on the general goal and strategy of UNRWA regarding the return of IDPs to their homes.
- In this regard, it can only be advised that even limited information (given that UNRWA may not have all data regarding the reconstruction) would go a long way towards avoiding rumors and easing fears. UNRWA's policy of limiting communication in order to provide only confirmed information does not seem to be efficient, as exemplified by the fact that a rumor has been circulating according to which there could be an American base being rebuilt instead of the camp, linked to the fact that UNRWA would not provide a Return Plan to the community.

- **Employment**

#### **Recommendations to the GoL and UN Agencies**

- The GoL, the ILO, and the Department of UNRWA responsible for employment issues, namely the Follow-Up Committee for Employability of Palestinian Refugees in Lebanon should coordinate closely in order to ensure that former IDPs can reenter the economic fabric.
- Consistent with this goal, any activity should aim towards self-reliance, in order for IDPs to complete a proper reintegration as soon as possible. Efforts under way by the FAO to provide IDPs with possible agricultural activities should be pursued and encouraged.

- **Funding**

☞ **Recommendations to the International Community**

- The international community should both respond to the Emergency Appeal to be launched by UNRWA soon and agree to redirect the pledged funds and the funds received by UNRWA on the first Flash Appeal.

- **Protection of Vulnerable Groups and Education**

☞ **Protection of Vulnerable Groups: Recommendations to grass-roots organizations**

- Mingling between Lebanese host-communities and Palestinian IDPs is an important step to avoid hostility between both populations. In this regard, mend-fencing activities should be promoted. Also, involving representatives of the Lebanese civil society, especially inhabitants of the Northern area of Lebanon, into relevant cluster groups could facilitate the relationship between both communities.
- In this regard, the aforementioned *Handbook for Applying the Guiding Principles* proposes to identify and help eliminate potential conflicts between communities by convening consultations between internally displaced persons and populations residing in the areas of return or resettlement. It emphasizes the necessity to consider the needs of both residents and IDPs in program-design.

☞ **Protection of Vulnerable Groups: Recommendations to the Protection Working Group Cluster**

- Protection of vulnerable groups should be kept in mind at all times. Especially if a camp is created, future concerns should be planned for, such as men / women separation, protection of young girls, protection of all IDPs from all armed groups, relationship with the Lebanese military, and protection of disable persons and elderly persons, among others.
- The PWG should use its network of contacts with local NGOs to ensure collection of the following data:
  - Causes, nature and consequences of possible tensions among IDPs; alternatively, grass-roots' proposals to diffuse tensions.
  - Possible challenges faced by non-Palestinian IDPs
  - Causes, nature and consequences of possible tensions between the IDPs and the Palestinian host community in refugee camps; alternatively, grass-roots' proposals to diffuse tensions.
  - Causes, nature and consequences of possible tensions between Palestinian IDPs and surrounding Lebanese communities; alternatively grass-roots' proposals to diffuse tensions.

- Possibility of the aforementioned tensions to spread to other Palestinian refugee camps in Lebanon; alternatively, grass-roots' proposals to diffuse tensions.

☞ **Education: Recommendations to the GoL**

- Double-shifts have been mentioned as a temporary solution to schooling. The GoL should do its utmost to ensure this solution can be implemented, pursuant of the right to education for every child set forth by the Convention on the Rights of the Child, ratified by Lebanon in 1991.

☞ **Education: Recommendations to UNRWA and UNICEF**

- Informally, an education cluster meeting has been set up, coordinating efforts of actors involved with children. At first a psycho-social coordination, it has moved towards activities for children. Nevertheless, it was signaled by leaders of this informal cluster that an official cluster meeting on education is missing. Therefore, UNRWA, in coordination with UNICEF and other actors should create such a cluster. .
- UNRWA should ensure that if it does not have the capacity to set up an Education Cluster Meeting, it mandates specialized NGOs to do so.

## IV. Next Steps

As soon as hostilities are over, ALEF will indeed shift to Monitoring consistency of the Return conditions with International Standards.

Reports will assess both the processes and the conditions of return, with a special focus on the criteria set forth by the Guiding Principles, as follows:

- IDPs should return “voluntarily, in safety, and with dignity” to their homes
- IDPs should not be discriminated against as a result of their having been displaced
- Authorities should assist the returned to recover their properties and if not possible, ensure they obtain compensation
- Authorities should grant rapid and unimpeded access for international humanitarian organizations to assist in the return or resettlement of former IDPs

For this purpose, ALEF will produce three reports until December, along with Situation Reports as it sees fit.

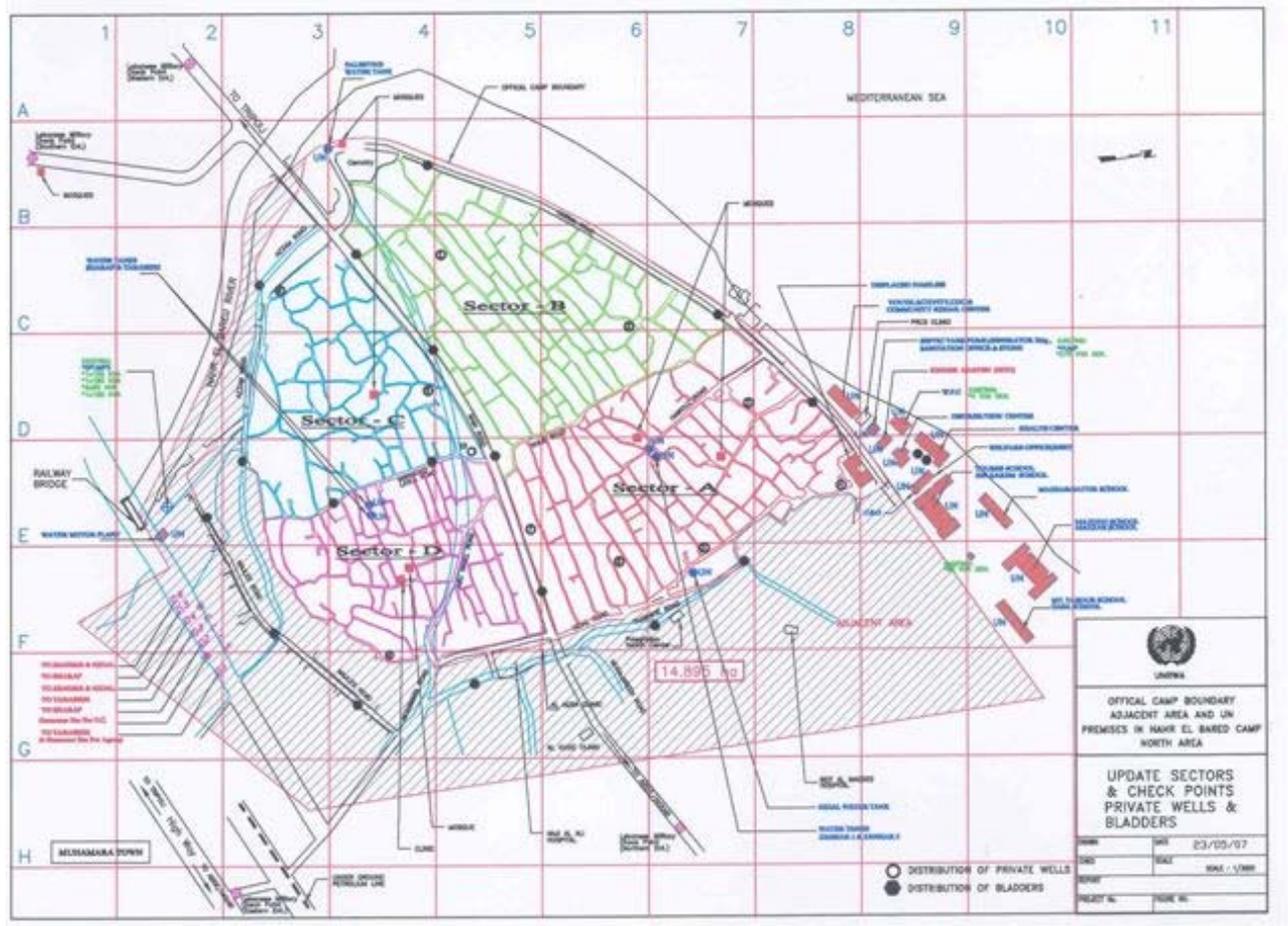
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## Annexes

### Annex 1: Official UNRWA's camp boundary

Source: UNRWA



**Annex 2: Questionnaire, Consortium of Humanitarian Agencies, “Practitioner’s Kit for Return, Resettlement, Rehabilitation and Development: An Agenda for a Call for Action”, Sri Lanka (2004).**

**Working Group Discussions**

The toolkit has identified and given some examples of activities in five strategic areas of activity for applying a community-based perspective to programme response. The task of the working groups is to explore these themes in reference to the specific situation of internal displacement in which the participants are engaged.

**Some questions to consider:**

**1. Family and community links**

- a) In what ways has displacement affected family and community links? Have displaced families and communities been able to remain together? What efforts are being taken to reunite displaced families?

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- b) To what extent have the displaced been able to integrate into their host communities? Do the displaced face discrimination impeding their integration?

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**2. Self-help strategies**

- a) Provide an example of a self-help strategy used by the internally displaced to address their assistance needs.

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- b) ...and one for addressing protection needs.

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- c) Identify ways in which the authorities and international agencies have supported or could support these or other self-help strategies.

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**3. Empowering the internally displaced in the protection of their rights**

- a) Suggest ways for raising awareness of the internally displaced of their rights. In what ways, for instance, could the **Guiding Principles on Internal Displacement** be effectively disseminated?

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- b) Describe the current operating environment for local advocates of the rights of the internally displaced. Are there ways in which it could be made more conducive to such activity?

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**4. Involving the displaced in decisions that affect their lives**

- a) What processes and mechanisms exist for consulting the internally displaced so as to ensure that their perspectives and concerns are taken into account in the design of programmes? To what extent are women represented in these consultation processes and mechanisms?

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- b) Provide an example of how women are involved in the design, and in a separate example, the distribution of efforts to meet basic assistance needs.

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**5. Supporting self-reliance**

- a) Identify the main obstacles impeding internally displaced persons from being self-reliant. Be sure to consider obstacles that women, in particular, face.

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- b) Provide an example of a skills-training and, in a separate example, of an income-generating program presently being sponsored which assists the internally displaced in overcoming these obstacles. One of the examples should be of special efforts undertaken to ensure skills-training and income-generating opportunities for women.

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- c) To what extent do displaced children attend school? In cases of low school attendance, what factors account for this? What would be required to address these?

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