COMMUNITY PARTICIPATION AND HUMAN RIGHTS ADVOCACY: QUESTIONS ARISING FROM THE CAMPAIGN ABOUT THE RIGHT TO WORK OF PALESTINIAN REFUGEES IN LEBANON.

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The main aim of this paper is to contribute to the understanding of the interplay between humanitarian action and political considerations at the Lebanese level by using the case of the reform of the legal regime regulating Palestinian employment in Lebanon and the advocacy campaign which preceded it. This campaign, in which UNRWA played an active role, has been characterized by the stress put on the importance of community participation in it. By introducing the advocacy campaign, its activities involving community participation and the decision-making process, this paper aims at demonstrating that community participation in wide scale social process enters in conflict with the internal fragmentation of the Palestinian community. This conflict, in addition to Lebanese impermeability to a change of the representation of the Palestinian refugees, decreased advocacy effectiveness.

Introduction

On the 17th of August 2010, the Lebanese Parliament partially amended the legal measures regulating the access to employment of Palestinian refugees to the labor market by weakening the existing discriminatory regime. In a recent article about the legal status of Palestinian refugees in the host countries1, it was argued that the legal status of refugees is determined by the interplay between humanitarian action, socio-economic conditions and political considerations (Bocco and Al-Husseini 2010: 263). Given that socio-economic conditions in Lebanon have barely varied in the last few years2, the main aim of this paper is to contribute to the understanding of the interplay between humanitarian action and political considerations at the Lebanese level by using the case of the mentioned legal reform.

The Lebanese case is particularly meaningful because, in the recent past, both international (the UNRWA) and private local actors (some Lebanese NGOs targeting the Palestinian community) strengthened their existing humanitarian action through a set of programs focusing on Human Rights advocacy and/or Human Rights protection. Concerning specifically the right to work of Palestinian refugees, a wide array of advocacy activities have been undertaken in the last 5 years by two overlapping sets of actors: the UNRWA-backed Committee for the Employment of the Palestinian Refugees in Lebanon (CEP) and Palestinian-Lebanese Coalition for the Right to Work of Palestinian Refugees in Lebanon. According to one of its members, “… The CEP is a strange animal because it is not really the Civil Society, and it is not the UN… it was a combination of both which involved the government, which is well”3. What is more, the representative of Palestinian civil society in the CEP closely cooperated with the leading NGO of the Palestinian-Lebanese Coalition for the Right to Work – namely Association Najdeh – in the framework of its advocacy program. Because of these connections, the activities undertaken by these collective actors are considered as parts of a single humanitarian action involving both UNRWA and the Palestinian community which culminated in the Beirut rally of the 27th of June, supposedly symbolizing the involvement of local communities in the advocacy process.

This involvement of local community in the advocacy process is particularly interesting in the light of recent literature concerning UNRWA increasing involvement in protection activities

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1: namely Jordan, Syria, Lebanon and the Palestinian Authority since 1994
3: Interview with a CEP member, 20/08/10, Beirut.
(Gambian 2006; Khouri 2010) and the Agency shift toward participatory practices (Misselwitz and Hanafi 2010; Rempel 2010). By looking at this case study, which reunites both the focus on protection and a participative approach in the same experience, it becomes therefore possible to describe which role has been played by community participation in the advocacy process and to question its impact. Hence, in the next section we first present the discriminatory legal regime which has been reformed. Then, the advocacy activities of the CEP and of the Palestinian-Lebanese Coalition for the Right to Work, and the debate in the Lebanese Parliament are dealt with in three distinct sections. Finally, the conclusive section includes some element of reflection on the impact of community participation on advocacy objectives and, more importantly, some questions about this impact are raised.

Past legal measures concerning Palestinian refugees’ employment (1948-2010)

The aim of this section is to highlight the stages which led to the configuration of the legal status concerning the right to work of Palestinian refugees in Lebanon before 2005. Both in the past and today, these stages are related to the interplay of the balance of power among political actors in Lebanon, the humanitarian action of international actors and the Lebanese socio-economic situation. However, analyzing these dynamics is not feasible in this paper. So, only the main changes in the law-making process will be mentioned in the following lines.

During their first months in Lebanon, Palestine refugees lived in a legal vacuum. Because of the lack of any asylum law, the almost 120,000 Palestinians who entered into Lebanon between 1948 and 1949 did not enjoy any legal specific status (Knudsen 2009: 55). Furthermore, population movements inside the country prevented Lebanese authorities from effectively exert control over the Palestinian population at least up to the beginning of the 50s. In 1949, a first change took place when UNRWA was established and started a registration process based on successive definitions of who was to be entitled to Agency assistance. From the Lebanese official standpoint, UNRWA registered refugees kept on being status-less individuals until 1959, when a Directorate of Palestinian Refugee Affairs was established at the Ministry of Interior (CEP 2009b: 15). However, up to that moment, these measures did not influence the employment opportunities of the registered refugees.

In the following decade, three legal measures greatly limited these opportunities. First, the Ministry of Interior decision no. 319 following the law of 10th July 1962 attached to the refugees from Palestine the status of foreigners inside the Lebanese legal system (CEP 2009b: 16; El-Natour and Yassine 2007: 68). Second, the Decree No. 1756 imposed to foreigners hired in Lebanon to obtain a work permit from the Ministry of Labor. Since then, the Palestinian refugees, legally speaking foreigners according to 1962 law, needed to obtain the yearly permit in order to be able to work. The same decree banned individuals from exercising high status profession without being affiliated to the professional syndicates. Given that being Lebanese citizen was a mandatory condition to be affiliated to the syndicates, such measure precluded to foreigners the access to all high-status jobs. Third and last, according to the reciprocity clause included in the Social Security law passed in 1963, Palestinians were excluded from the benefits which stemmed from the National Social Security Plan, i.e. all kinds of work leave (maternity, illness, work accident, occupational) and end-of-service compensation payments (El-Natour and Yassine 2007: 68-69).

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5: I drew this figure from Kamel-Doraï 2006, 37-38

6: For an extensive account of this process see Takkenberg 1998
On the one hand, external pressures for a more inclusive legal regime – such as the Casablanca protocol of 1965 including provisions aimed at protecting the rights of Palestinian refugees during their exile – did not entail any positive change in Lebanese legislation concerning the Palestinians residing inside the country. On the other, internal pressures improved the employment opportunities of the Palestinians. In 1969, the PLO and the Lebanese Government signed the Cairo agreement which suspended all legal restrictions concerning Palestinian refugees’ employment in Lebanon. The legally-speaking favorable situation enjoyed by Palestinian refugees lasted until 1987, when the agreement was formally abolished by the Lebanese parliament. Nonetheless, the Cairo agreement can be considered as de facto void since the uprooting of the PLO from Beirut in 1982. Since then, three ministerial decrees issued by three different Labor ministers restricted the access to a number of salaried jobs to Lebanese nationals. The decrees 38/11 of 1983, 3/1 of 1993 and 621/1 of 1995 barred foreigners from a higher and higher number of jobs in the banking, teaching and building sectors among others. In 1995, more than 70 high-status professions and 46 waged job positions were closed to foreigners, namely to Palestinian refugees (Knudsen 2009: 59).

This trend was suddenly reversed in 2005. In July, Labor minister Trad Hamadeh issued the Memorandum no. 67/1 which lifted the ban against foreigners on the 46 salaried professions and some of the independent activities. This decision was taken in an atmosphere of renewed dialogue about refugees’ status which materialized in the establishment of the Lebanese-Palestinian Dialogue Committee (LPDC) in March of the same year and the re-opening of a PLO representation office in Beirut in 2006. In this context characterized by new opportunities of change, an advocacy campaign focusing on amending the laws concerning right to work of Palestinian refugees was launched. Once again, this process involved both international actors (namely the Swiss Agency for Development and Cooperation, the UNRWA and the ILO) and local organizations (such as Lebanese ministries, Palestinian parties and NGOs) which were confronted by a sudden socio-economic change linked to the end of the Syrian occupation.

The CEP advocacy campaign

Two sets of actors have been involved in the advocacy campaign and its constitutive events since its very beginning in 2006. The first group is formed by a set of NGOs and it will be the object of the next section. The second group operated into “an informal coordination group” called Committee for the Employment of the Palestinian Refugees in Lebanon (CEP). As stated in the “Who We Are” section of the text introducing the Committee, UNRWA played a fundamental role in initiating the establishment of this organization: “In May 2006, the United Nations Relief and Works Agency (UNRWA), in collaboration with the Lebanese Ministry of Foreign Affairs, organized a technical workshop funded by the Swiss Agency for Cooperation and Development on the employability of Palestinian refugees in Lebanon. As a result of the findings and in response to the evident need for further work, the Follow-Up Committee for Employability of Palestine Refugees in Lebanon (FCEP) was established, it was supported by a secretariat funded by the Swiss Agency for Development and Cooperation.” (FCEP 2007: 5)

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7: “The Casablanca protocol called on Arab nations hosting refugees to grant them rights of work, travel and residency… Lebanon signed the protocol with several reservations that made the right to work conditional on the country’s economic situation and restricted entry into and exit from Lebanon” Knudsen: 55
8: For a comprehensive list see the table in ILO 2010: 16
9: After the withdrawal of the Syrian troops in 2005, many of the Syrian workers employed in low-wage jobs left Lebanon too.
10: Interview with a CEP member, 20/08/10, Beirut.
11: Previously known under the name of Follow-up Committee for the Employment of the Palestinian Refugees in Lebanon (FCEP). As explained below, the Committee changed its name in 2009.
Beside UNRWA, the initial membership of the CEP included representatives from: the Lebanese Civil Society, the Norwegian People’s Aid (NPA), the ILO, the Ministry of Foreign Affairs, the Ministry of Labor, and the Palestine Liberation Organization (PLO). The representative of the Swiss Agency for Development and Cooperation was not a Committee member, but he held the status of observer (CEP 2010f). According to one of the CEP members, in the first two years of the Committee’s existence, “… A lot of work was to identify research needs and filling them. There was an enormous amount of reports that were already available. So, basically the CEP started with the compilation of the available researches ever done and look at where are the gaps…”¹³. Concretely, the Committee organized two workshops whose aim was to disseminate the findings of the existing quantitative studies concerning the issue of the employment of Palestinians in Lebanon¹⁴ and make the FCEP known to the others actors involved in this issue (CEP 2010a). Having taking over the role of advocate of the right to work form the LPDC, the Committee looked for practical ways to facilitate the employment of Palestinians. The composition membership of the CEP at that time was particularly suitable to conduct this strategy. According to a member of the committee, “the CEP is a strange animal because it is not really the Civil Society, and it is not the UN… it was a combination of both which involved the government, which is well”¹⁵. Moreover, from the point of view of UNRWA, “…The CEP has allowed UNRWA getting involved in a sensitive issue without taking the front role…”¹⁶.

In 2009, CEP activities geared up and the Committee went through two important changes. First, the membership of the Committee changed for the first time since its establishment. The Field Protection Officer replaced the Head of Relief in his capacity of UNRWA representative. This change stemmed mainly by the focus on protection that materialized in the creation of the position of Field Protection Officer in all field¹⁷. Second, the name and the objectives of the Committee varied. According to the CEP website, such change was linked to a change in the atmosphere: “As it starts its fourth year, the CEP has noted an environmental shift in the way Palestinian refugee employment is perceived and the higher priority it is being accorded by major actors such as Lebanese Palestinian Dialogue Committee (LPDC), UNRWA and the integrated UN Working Group on Palestinian Issues (IUNWGPI)…” (CEP 2010b)

In the meantime, the members of the unanimously decided to change the name of the group into Committee for the Employment of the Palestinian Refugees in Lebanon (CEP) (CEP 2010e: fn.1). What is more, they shifted the goals of the Committee’s activities from providing reliable data about Palestinian employment in Lebanon to a more pro-active stance in advocacy: “… Now in its fourth year, CEP has three principal goals: … -To enable the Palestinian refugees to enter formally the workplace in Lebanon, in line with Lebanese international obligations.” (CEP 2010e: 2).

In practice, information production and dissemination concerning practical aspects of the labor market¹⁸ was complemented by an improved focus on the legal issues attached to the question of the employment of Palestinian refugees – such as the study published in late 2009 with the title Legal Texts Governing the Employment of Palestinian Refugees in Lebanon. A Study & Comparison. In this document a shift from technical to more politically sensitive issues can be seen. In the Executive Summary, an interesting distinction about the “problem” of Palestinian employment has been done. With regards to its political dimension, one can read that the right to

¹²: The actual membership of the Committee includes also a representative from the Business Community and the NPA director is listed as the representative of the Palestinian Civil Society. See CEP 2010e: 1
¹³: Interview, 20/08/10, Beirut.
¹⁵: Interview, 20/08/10, Beirut.
¹⁶: Interview, 20/08/10, Beirut.
¹⁷: This institutional change was consistent with the increased importance granted by UNRWA to protection activities. About this topic, see UNRWA 2008, UNRWA 2009.
¹⁸: For instance, the study about vocational and educational training providers to refugees in Lebanon.
work in Lebanon has been considered in the past as the first step towards integration and resettlement of the refugees into the Lebanese society. The CEP disputed this assumption and considered that the issues raised by the legal status of Palestinian refugees are mainly due to a gap in the Lebanese law: this gap led to a situation in which the legislation concerning the employment of Palestinian refugees is not consistent with the obligations stemming from the international treaties previously signed by Lebanon (CEP 2009a: 5). Thanks to this distinction, the CEP was able to defuse the potential accusations of promoting the resettlement of refugees – a political taboo in the Lebanese political system.19

The CEP focused on this second element of the issue of Palestinian refugees’ employment20, namely the legislative gap, and disseminated its legal study in a CEP-organized closed seminar followed by an open conference at the beginning of 2010. Among the attendees of the open conference, there were representatives from the Palestinian NGOs21 and of the main Lebanese political parties22 (CEP 2010d). A legal working group was formed after the conference including CEP and LPDC members, NGOs’ directors and members of Lebanese political parties (CEP 2010e: 3)23 in order to prepare a draft bill of law to be submitted to the discussion with all the actors concerned by Palestinian refugee employment and, eventually to the Lebanese parliament. In a subsequent conference held at the American University of Beirut in April 2010, the chair of the CEP and the PLO representative in the Committee jointly announced that the all the Palestinian political parties had accepted to submit the draft bill to Lebanese authorities, and that a coordinated campaign was to be prepared by NPA and Najdeh directors on behalf of the Palestinian Civil society.

The role of Palestinian NGOs in the advocacy process: the Campaign for the Right to Work

In the first half of 2010, the planned campaign to support the CEP draft bill settled in a context shaped by the initiatives already put in place by other Palestinian civil society organizations. Actually, alongside the CEP, another set of actors had already begun advocating in favor of the right to work for Palestinians refugees. However, contrary to the CEP activities, these advocacy efforts – carried out by the Lebanese non-profit associations targeting the Palestinian community and individual activists – were not enacted by a single set of actors remaining the same over time, but were started by just one NGO five years before. In 2005, Association Najdeh24 launched its advocacy campaign about the right to work, engaging other organizations and individuals as the campaign progressed. This campaign culminated in the mobilization for the march for civil rights of Palestinian refugees which took place on the 27th of June 2010 in Beirut. Consequently, in this section the Najdeh campaign is briefly introduced. Then, the focus shifts on the most evident example of involvement of local communities in the advocacy process, namely the march.

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20. Interview with a CEP member, 10/05/10, Beirut.
23. Beside these activities, the CEP got involved in the establishment of Employment Services Centers in Sidon, an activity very similar to UNRWA-ILO Employment center in Tripoli, which does not seem to be relevant in relation to the focus on advocacy of this article. Therefore, it has not been taken into consideration.
24. Association Najdeh is largest – in terms of budget and staff – non-profit association targeting the Palestinian community in Lebanon.
Association Najdeh’s decision to start an advocacy campaign was taken after a training organized by Education Action International in Cyprus in 2004. One of the conditions for the participation to the training imposed by Education Action International was to launch at least one advocacy campaign after the end of the training. The Najdeh staff who attended the training integrated this request into the evaluation of the Association programs, especially the Vocational Training and Social Affairs ones, and decided that dealing with the legal constraints to employment was a priority for Palestinian refugees in Lebanon\textsuperscript{25}. Thanks to the funding from two European NGOs, Najdeh was able to launch its own advocacy campaign about the right to work. The campaign aimed at “…Enabling Palestinian Refugees in Lebanon to practicing the right to work in Lebanon.” (Association Najdeh 2006: 1). To achieve this aim, several forms of collective action were planned: establishing follow-up committees in charge of advocacy at the local level, mobilizing both Palestinian and Lebanese communities in public events, and lobbying the media. In the first year, the campaign consisted of meetings to set up the local follow-up committees and some awareness raising workshops attended by Najdeh beneficiaries.

After the first phase, the quality of outreach campaigns improved only in 2009. At that time, Najdeh was finally\textsuperscript{26} able to publish \textit{Working Unprotected. Contributions of Palestinian Refugees Residing in Camps & Some Gatherings to the Lebanese Economy}. This study, based on an survey submitted to 1,500 households (al-Khalidi 2008: 23), allowed the Right to Work Coalition – as the group of Lebanese and Palestinian organizations and individuals who got affiliated to the Right to Work campaign was named – enunciating their advocacy demands into knowledge-based findings\textsuperscript{27}. Similarly to the initial CEP official discourse, the 2009 report assumed that few studies dealing with the Palestinian labor force as a proactive economic actor existed (al-Khalidi 2008: 22). Therefore, the main aims of the study were to take an clear picture of the Palestinian involvement in the Lebanese economy, and to strengthen the recommendations of the campaign (al-Khalidi 2008: 34). Having published the report, Najdeh was able to organize three public presentations of it. Between end of 2009 and the beginning of 2010, Najdeh director and the author of the study were able move up from the local level to the national one by engaging ministers and Lebanese MPs in the meetings which took place in Beirut, Sidon and Tyre\textsuperscript{28}.

In mid-2010, the Right to Work campaign got intertwined with another advocacy initiative launched by another group of NGO (among others, Norwegian People’s Aid, Al’Doun, Najdeh and Palestinian Human Rights Organization) and individual activists reunited into an ad-hoc organizing committee\textsuperscript{29}. Complementing the advocacy efforts of the CEP with grassroots activities, the

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\textsuperscript{25} : Interview with a Najdeh employee, 14/12/09, Beirut. See also: Association Najdeh 2007b: 7 ft.1

\textsuperscript{26} : The Israeli attack in 2006 and the fighting in Nahr el Bared in 2007 delayed data collection and the publication of the survey-based report.

\textsuperscript{27} : In a funding-related document of 2007, the expected outcomes of the campaign were formulated as follows: “Amending the labour and unions laws excluding Palestinians from obtaining work permits and reciprocity due to public and official support for the Palestinians’ right to work with understanding of the impact of unemployment and discrimination on the Palestinian and the Lebanese social security as well as the benefits the two communities get from ending this discrimination and that implementing human rights is a basic element towards social security and justice, and finally understanding that ending discrimination the Palestinians are enduring doesn’t mean resettling them in Lebanon.” (Association Najdeh 2007: 11) In the 2009 report, advocacy recommendations follow a several headings concerning the issues negatively affecting Palestinian labour in Lebanon – namely legal constraints, lack of security, and Nahr el-Bared destruction. According to report author, the negative impacts of these issues have been documented through “objective” statistics in the previous chapters of the report (al-Khalidi 2008: 133-34).

\textsuperscript{28} : The meetings were attended by Tarek Mitri, the Information Minister, and MPs from Amal, the Future Movement, the Popular Nasserite Organization among others, Association Najdeh, ‘Presenting the Result of Palestinian Refugees’ Contribution in the Lebanese Economy ’, \texttt{<http://association-najdeh.org/results_of_r2w.htm>}, accessed 28/02/10. Another meeting between Najdeh director and PSP representatives took place in April in Beirut, interview with Najdeh employee, 15/07/10, Beirut.

\textsuperscript{29} : For a more complete list see the march pamphlet (Organizing Committee 2010a)
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members of this organizing committee aimed at mobilizing Lebanese and Palestinian parties and “civil society” organizations through a march starting from places all over Lebanon and ending in Beirut in front of the Parliament. This initiative was first presented in several public and private events, e.g. the celebration of Nakbah at the Sports City on the 15th of May and the meeting of key NGOs targeting the Palestinian community at UNRWA Lebanon Field Office at the beginning of April.

The most distinctive feature of this event is that, contrary to most of the previous advocacy initiatives, it was meant to mobilize people from local communities and allow them directly participating in the advocacy efforts concerning the rights of Palestinian refugees. As one can read the launching pamphlet signed by the organizing committee:

“...The humanitarian approach looks at Palestinian refugees as a group of people that need to be fed and sheltered by international relief agencies and charitable organizations, denying their agency as participatory actors in their state of affairs. (...) The march will bring together Palestinian and Lebanese crowds, (...) it will be joined by other crowds from the areas it passes through. The march is expected to end with more than 5000 people, and to coincide with a mass signing of the petition and the draft law modifications.” (Organizing Committee 2010a: 1-2)

The “participatory actors” mentioned above were to be mobilized mainly by the organizations and civil society groups members of the Organizing Committee. In the participation form for organizations attached the mentioned pamphlet, the first information to be provided by each organization was the number of people who were supposed to took part in the march on behalf of it (Organizing Committee 2010a: 6). Actually, the participating organizations carried out this task. For instance, during the week preceding the march, in the Najdeh main office the regional chiefs of staff coordinated with the accountant of the Association in booking buses to take Najdeh “sponsored” participants to Beirut. Beside, information about the campaign was spread through the media. Just to mention one example, during the month preceding the rally, four articles about the march were published by the most important Lebanese newspaper in English, the Daily Star.

In the early afternoon of the 27th of June, the participants gathered in front of the Sports city of Beirut and left for Downtown. At the head of the rally, the members of the organizing committees marched in line. All of them wore the cap of the march (a white baseball cap on which the slogans of the demonstration and the NPA, PHRO, European Union, Norwegian embassy, Danish Refugee Council logos has been printed) and the typical white-and-black checkered Palestinian scarf. The director of Najdeh wore a slightly different cap. On her cap the logo of the Right to Work campaign replaced the slogan and the logos mentioned above. This difference was replicated also among the rest of the demonstrators. What is more, many Najdeh “sponsored” participants wore a white t-shirts displaying the Right to Work campaign logo. Behind the organizers, the majority of the demonstrators marched within the same group with which they arrived at the Sports city. For instance, the al-Badia section of Association Najdeh marched together a little bit behind the first line. Similarly, a group of youth coming from Baddawi camp and a group of Najdeh beneficiaries from the Bekaa valley walked aside in the middle of the rally. The former group was composed of young men moving forward to reach the head of the rally. Its members walked on the side of the rally playing with the water bottles (distributed by the organization) and ignoring the orders of the security service of the march – which asked them not to march outside the main group. The latter group was composed of young women who had been instructed in the

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30: In the framework of Najdeh’s Right to Work campaign, some sit-ins took place. However, they involved a far smaller number of individuals.

31: “Protest march to demand rights for Palestinians” on the 22/05, “Day-long march on June 27 to urge civil rights for Palestinians” on the 02/06, “Palestinians gearing up for protest to demand rights” on the 16/06, and “Beirut rally demands Palestinian rights” on the 28/06. Two more articles did not concern directly the march but the right to work of Palestinian refugees. This interest, however, may have been sparkled by the concomitant debate which took place in the parliament.

32: Namely ‘Bidna na’ ysh bil-Karamah lina’ud’ (Trans. ‘We want to live in dignity in order to return’).
parking lot of the Sports city to carry a huge Palestinian flag\textsuperscript{33}. The regional coordinator of Najdeh from the Bekaa walked aside them encouraging them to continuously wave the flag. Once arrived in front of the ESCWA building in Downtown, part of the demonstrators got on the buses taking them back home while fewer and fewer stayed in the square where a podium was set for the official speeches. Official speeches were pronounced by Sari Hanafi on behalf of Amzi Bishara\textsuperscript{34}, Luisa Morgantini\textsuperscript{35}, a low-level representative from the Progressive Socialist Party, the representative of the PLO in Lebanon, and several representatives of the Palestinian parties (among others, the PFLP, the DFLP).

No official figure is available about the participation to the march. However, estimations made by several organizers tend to converge on 3,000 participants\textsuperscript{36}. Beside, the Najdeh-led Palestinian-Lebanese Coalition for the Right to Work of Palestinian Refugees in Lebanon provided partial figures by claiming to have had a great role in the gathering 1,280 participants\textsuperscript{37}. Even though organizing a peaceful rally of Palestinian refugees in Lebanon has been a historical première, a feeling of having failed to meet the expectations spread among some of the organizers and was externalized during the evaluation meeting of the organizing committee after the march\textsuperscript{38}.

Together with limited participation\textsuperscript{39}, another element contrasted with the idea of a single mobilized community, closely related to the participatory discourse adopted by the organizing committee of the march; on the 25\textsuperscript{th} of June another demonstration was held in the same place and with very similar modalities (a petition was delivered to the Parliament too). This last demonstration had been organized by the Palestinian political coalition opposed to the PLO (Tahaluf) after its disengagement from the organizing committee of the June 27\textsuperscript{th} march (a move immediately followed by the withdrawal of Hezbollah and Amal support to the march)\textsuperscript{40}. The very same duplication was replicated on the morning of the vote on the amendments to the Labor law (August, 17\textsuperscript{th}), when two sit-ins – one called by Hamas and the other by the Right to Work campaign – were organized at the same time, in the same place and with identical modalities.

However, since mid-June, when an amendment bill was officially put forward in the parliament, the context surrounding all advocacy activities has varied drastically, as described in the next section.

\textsuperscript{33} The organizing committee explicitly asked not to carry flags no other than the Palestinian and Lebanese ones.
\textsuperscript{34} A former Israeli-Arab MP and leader of the Balad party.
\textsuperscript{35} An Italian left-wing former member and the former vice-President of the European Parliament. Her recorded message was played by the organizers while the podium stayed empty.
\textsuperscript{36} All the interviewed organizers but one estimated that the number of the participants varied between 3,000 and 3,500 during the proper rally. Everybody agreed that people flocked away as soon as the representative of political parties got on the podium.
\textsuperscript{37} According to official blog of the campaign “Association Najdeh’s had a large amount of participation in the march. A total of 1,280 people involved with Al-Najdeh and the Right to Work Campaign were present at the march on June 27, 2010...” Right to Work, ‘Palestinian-Lebanese Coalition Preparations for the March for Civil Rights in Lebanon’, <http://right2work.wordpress.com/2010/07/12/palestinian%e2%80%93lebanese-coalition-preparations-for-the-march-for-civil-rights-in-lebanon/>., accessed 13/07 2010.
\textsuperscript{38} The lack of satisfaction about participation was related to the author in several occasions; among others, interview with an organizing committee member, 06/08/2010, Beirut, and interview with an organizing committee member, 20/08/2010, Beirut.
\textsuperscript{39} Attributed to the inexperience of the organizing committee in mobilizing the masses and to the scarcity of buses available for each camp to take participants to Beirut; interview with an organizing committee member, 20/08/2010, Beirut, and interview with a political activist, 23/08/2010, Saida.
\textsuperscript{40} Interview with an organizing committee member, 27/06/2010, Beirut. Essentially, the Tahaluf accused the organizers of the march to depend on the money and the agenda of some European embassies (which, indeed, founded the march together with the UNRWA).
The establishment of the new legal regime concerning the employment of Palestinian refugees in Lebanon

Two weeks before the march, on June the 15th, the chairman of the Progressive Socialist Party, Walid Jumblatt, launched an emergency procedure to amend the laws which restrained employment opportunities in Lebanon for Palestinian refugees – namely the ones concerning the work permit, the access to National Social Security Fund services, and the one about real estate ownership. By looking the actual contents of this proposal and comparing with the advocacy documents produced between 2005 and 2010, it is possible to question whether (and if so, to which extent) the decision-making process has been affected by the advocacy activities mentioned above. Furthermore, Jumblatt’s proposal was followed by two other amendment bills publicly presented by the Syrian Socialist Nationalist Party (on the 16th of June) and the Future Movement (on the 13th of July). These drafts, as well as other reactions to Jumblatt’s proposal, give some hints about the actual connections (or their absence) between the advocating actors and Lebanese decision-makers other than the PSP.

After the interruption of the Palestinian-Lebanese negotiations in 1991, Jumblatt’s proposal tackled for the first time since the end of the civil war the question of defining of the status of the Palestinian refugees residing in Lebanon. As a matter of fact, after the abolition of the Cairo Agreement in 1987, Palestinians were – once again – legally speaking foreigners. Furthermore, being state-less refugees, they were discriminated on the base of the reciprocity principle. The amendment bill put forward by Jumblatt addressed specifically the issue of Palestinians – implicitly erased the need for a paying working permit – and granted limited access to the National Social Security Fund services (end of treatment and injury compensations).

This proposal differed from the ones contained both in the recommendations’ section of the Najdeh report and in the petition of the June 27th march with regards to several points. First and foremost, the measures included in Jumblatt’s proposal were meant to cover only the refugees registered with the ministry of Interior; both the Najdeh report and the text of the petition delivered by the organizers of the June 27th march referred to all Palestinian refugees residing in Lebanon using the UNRWA definition and calling for a review of the lists of the ministry of Interior. Second, Jumblatt’s proposal did not concern the access to professional orders and, consequently, the access to high-status jobs – in medicine, engineering, and law, among others. Third, it limited the access to the services of the National Social Security Fund by granting some compensation (end of treatment and family allowances) but not others (maternity and injury leaves). Last but not least, Jumblatt’s proposal did not include any precise definition of tawteen (Naturalization). On the

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42: Both drafts were distributed to the Press, but they were not discussed in the sessions of the Committee of Administration and Justice, which is the parliamentary body in charge of the discussion of law amendments.
43: Between 1990 and 1991 several meetings between Lebanese ministers and PLO representatives in Lebanon took place. However, they were interrupted just after the withdrawal of the Syrian and Lebanese delegations from the talks in Madrid.
44: The most blatant example of this discrimination was the law amendment approved by the Parliament in 2002 preventing Palestinians refugees not only owning, but also inheriting real estates.
45: An amendment concerning the ownership right was put forward. However it was not discussed during the debate at the parliament.
46: For the complete texts see al-Khalidi 2008: 27 and ff, and the text of the petition (Organizing Committee 2010b) available at the address: http://fcep-lb.org/pdf/ProposedLaw_English.pdf
contrary, both the petition and the Najdeh report provided restrictive definitions\(^47\) for this concept – just mentioned in the Taif agreement without any precise definition of it.

This proposal provoked an animated debate inside the parliament. On the one side, Christian MPs from opposing coalitions went up against to the proposed amendments. On the other, to the rest of the MPs (Sunni, Shiite and Druze) from both the majority and the minority blocs in the Parliament supported them\(^48\). The Christian opposition – reuniting political adversaries such as the Phalange, the Lebanese Forces and the Free Patriotic Movement – was based on the refusal of any form of naturalization of Palestinian refugees, and of any discharge of responsibility from the International Community (the UNRWA) to Lebanon (the National Social Security Fund)\(^49\). The supporter of the amendments – in the meantime the Syrian Socialist Nationalist Party had presented a draft matching with the petition of the June 27\(^{th}\) march – called for granting social and economic rights to refugees on the basis of international obligations and the respect of basic human rights.

Two attempts to overcome the sectarian opposition took place at the beginning of July. First, Prime Minister Hariri and the Speaker of the Parliament Berri declared that any decision about this issue needed to be taken consensually\(^50\). Second, the Future Movement and the Lebanese Forces distributed to the press a joint draft amendment\(^51\). This proposal was even more restrictive of the Jumblatt’s one: regarding access to National Social Security, it limited the opportunity of Palestinian workers to the end of treatment and the family allowances asking at the same time for full payment of contributions to the National Social Security Fund. At the same time, it called for a free-of charge work permit to be obtained by Palestinian refugees\(^52\). On the expected date for the General Assembly’s vote – after a one-month-long negotiation inside the Parliamentarian Committee for Administration and Justice – no compromise about the amendments had been found. Therefore, the speaker of the parliament, Nabih Berri, delayed the vote to further examine the issue, as requested by the Committee itself\(^53\).

In the weeks preceding the final vote, the distance separating the advocating actor from the ongoing political process became even more evident\(^54\). Going from the Lebanese politics to the advocacy world, decision-makers looked for exact figures about Palestinian labor force. The workshop organized at the Grand Serail by the LPDC was the clearest example of this kind of demands. On the 5\(^{th}\) of August, it reunited the main organizations and personalities which advocated in favor of Palestinians refugees asking to them figures and data to be used in the political discussion in the Committee of Administration and Justice\(^55\). The other way around, the

\(^{47}\) : The Najdeh reports implicitly reject any form of nationalization by mentioning the right of return of Palestinian refugees (al-Khalidi 2008:27). The petition goes as follows: “Article 1: According to Lebanese Law, NATIONALIZATION (ALTAWTEEN) is defined exclusively as (a) a collective acquisition of the Lebanese nationality by refugees registered in the registries of the Ministry of Interior; (b) the collective acquisition of the right to vote, to run for municipal and parliamentary elections; and (c) occupying public offices for the Palestinian refugees that are registered in the registries of the Ministry of Interior.” (Organizing Committee 2010b:2)


\(^{50}\) : ‘Hariri Calls for National Unity on Granting Rights to Palestinians’, Ibid.30/06/2010.


\(^{52}\) : Other aspects of the proposal - concerning the travel and residency documents and access too Lebanese universities – fall short of the scope of the article. The full text of the draft is available at the address: http://fcep.lb.org/pdf/v3march14&lebaneseforcesdraftbilljuly132010.pdf


\(^{54}\) : According to my observation, this rupture has always been felt by NGOs activists and PLO representatives.

\(^{55}\) : Among others, Rami Khouri, Sari Hanafi, Souhail el-Natour, Samir el-Khoury (CEP chairman), Leila el-Ali (Najdeh director), Jaber Suleiman, Mathijs Le Rutte (UNRWA field protection officer and UNRWA representative in the CEP). Interview with a workshop participant, 20/08/10, Beirut, and pictures available on the LPDC website
The majority of the advocating actor had little access (if any) to the decision-making instances. Just to mention one example, the CEP representative for the Palestinian civil society and Najdeh organized a roundtable – whose attendance overlapped at large with the one of the LPDC workshop – inviting a State minister from the PSP to make the point on the parliamentary debate. According to our observation, at the roundtable, the majority of the questions made by the participants was addressed to the PSP representative and concerned the advancement of the reform in the parliament and demanded reassurances about the PSP engagement in supporting the proposed reforms.

The decision-making process reached its end on the 17th of August, when the Parliamentarian Committee for Administration and Justice approved two amendments to the article 59 of the Labor Law of 1964 and to the article 9 of the Social Security Law of 1963. Essentially, these amendments reformed the legal regime regulating the employment of Palestinian refugees by exempting them from some obligations applicable to foreigners, such as the need for costly work permits and the reciprocity clause barring the access to salaried jobs. Furthermore, the amendment of the Social Security Law called for the establishment for a separate fund to manage the end of treatment compensations of Palestinian workers. These decisions were adopted through a majority vote and not to the consensus method. They stemmed critics from the Phalange party, and dire opposition from the Free Patriotic Movement.

Conclusion

The main concern of this article is to contribute to the understanding of the interplay between political considerations and humanitarian action using the case study of an existing advocacy campaign involving participatory. From an empirical point of view, this task appears to be interesting in view of both the increasing UNRWA involvement into protection and the Agency tendency to valorize to participatory practices, as mentioned in the introduction. On the theoretical side, analyzing the participatory practices in an actual advocacy campaign allows refining the comprehension of the mechanisms linking decision-making instances (Lebanese authorities and the parties controlling them), intermediary collective actors (the self-defining civil society organizations), and the individuals (local community members). Rather than presenting conclusive statements, this section aims at raising some questions which stem from the experiences of community participation in the advocacy process concerning the right to work of Palestinian refugees in Lebanon.

To assess the impact of participatory practices, it is first necessary to look at the objectives of the advocacy process. The most important advocating actors (the CEP, Association Najdeh and the organizing committee of the march) shared two objectives: to modify the representations concerning Palestinian refugees in Lebanon and to facilitate a modification of the legislation concerning them. Concerning the first objective, the three actors contested the widespread representation of the refugees as a simple recipient of aid, and tried to reshape the image of Palestinian refugees and present them as proactive economic and social actors. Enacting participatory practices – such as conferences, sit-ins, awareness-raising workshops, rallies, etc. – has two positive subsidiary effects: the first one is to reinforce the institutionalization of communities of interests including both individual and collective actors working on the same issue, such as the Palestinian-Lebanese Coalition for the Right to Work of Palestinian Refugees in Lebanon led by Najdeh or the CEP including the UNRWA. In turn, these communities create new


56: Interview with a roundtable participant, 14/08/10 and direct observation. See also: ‘Abu Faur: Al-Ikthar Min Masharia Al-Qawanin lashtat Al-Mawdua’, (Abu Faur: the abundance of draft bills will squander the issue) Al-Safir, 13/08/2010.


58: Cf. the actors’ discourses reported at pp. 5 and 7-8.
knowledge – often under the form of statistical surveys\textsuperscript{59} – and disseminate it among individuals external to them during participatory events in a simplified form (for instance, through the slogans screamed during the march) and/or in more elaborated ways (such as the conferences, awareness-raising activities, Human Rights education, etc.). Therefore, it is possible to claim that participation enhanced and facilitated the spread of new representations, the first objective of advocacy. But, what was the impact of participatory practices in bringing about a reform of the legal regime regulating the employment of Palestinian refugees in Lebanon?

Overall, it appears clear that the decision-making process was not affected by the participation of local communities in advocacy activities. As a matter of fact, the representations and the knowledge created and disseminated by the advocating actors have been largely ignored in the political debate among party leaders about the law amendments\textsuperscript{60}. The topics dealt with at the LPDC workshop as well as the contents of the declarations of the Christian MPs demonstrated that the Lebanese political considerations turned around arguments – such as the \textit{tawteen} – which appeal parties’ constituencies rather than around the ‘objective’ knowledge produced and disseminated during advocacy process.

In this context, the forms of community participation to the advocacy campaign in favor of the right to work for Palestinian refugees proved to be rather harmful than helpful. Somehow, the idea of community participation into advocacy activities goes hand in hand with the idea of consensus – already established or to be created – on the issue at stake in order to make possible the participation of all community members, irrespectively of the internal divisions that exist in all societies. The ban on parties’ flags imposed by the organizing committee of the march is just one example of this quest for consensus.

The building up of the symbolic and material resources needed to carry out advocacy by creating and imposing ‘objective’ knowledge has been done without interfering with the Lebanese and Palestinian political dynamics. It created experts on the question of the employment of Palestinian refugees whose legitimacy rested on their research-related attributes, and not on their popular support. Consequently, they were widely and easily recognized in both the Palestinian and Lebanese political systems. When the advocacy process began including forms of popular support through community participation, thus adding a legitimacy based on mass support to the one based on the role of expert, it got stuck in the competition over popular support involving other intermediary bodies active inside the Palestinian community in Lebanon, such as the political parties and other civil society organizations. Therefore it is not surprising that the mobilization of individuals into collective activities – such as rallies, sit-ins and petitions – got hijacked by the political dynamics internal to the Palestinian community in Lebanon, which opposes the PLO-loyal collective actors (and their Lebanese allies) to the organization related to the \textit{Tahaluf} (and their Lebanese allies). Furthermore, it is likely that the search for consensus and the denial of visibility opportunities for single organizations (intrinsic to the idea of community participation) contributed to push away political parties – and their constituencies – from the advocacy activities concerning the right to work. The features of the participation to the march – namely low levels of participation of mainly (if not only) NGOs’ beneficiaries - as well as the negative attitude of the participants to the rally vis-à-vis the speeches of politicians from the podium may be interpreted as signs of a further internal fragmentation separating the constituencies of the civil society organizations from the ones of the parties.

These fragmentations raise some questions about the feasibility of community participation in advocacy campaigns/Human Rights protection. First, it is possible to question whether

\textsuperscript{59}: About the importance of knowledge creation in the humanitarian field, see Ferguson 1990. About the role of statistics in the creation of imagined communities, see Anderson 1991.

\textsuperscript{60}: However, it is still possible that the past cooperation between advocating actors and Lebanese authorities at the level of the ministries will be rewarding in the implementation of the approved drafts.
community participation plays a positive role in wide-scale process, such as the advocacy one culminated in the march for civil and economic rights in Lebanon. When these processes came down to the search for mass support, they involved high stakes in terms of the construction of political legitimacy. Therefore, they attracted competing collective actors which act as intermediary bodies between the decision-making instances and local communities. Second, because of this involvement, the separation between Human Rights protection/advocacy and politics, often evocated by members of the CEP and of Najdeh, needs to be questioned. In the Lebanese context, characterized by a large population of Palestinian refugees suffering from discrimination over fundamental rights, advocating these rights through mobilization affects both the configuration of the Lebanese-Palestinian relations – as the parliamentarian debate demonstrated – and the political balance internal to the Palestinian community – by touching the competition over the legitimacy of intermediary bodies as mentioned above.

In the end, the case of the advocacy process in favor of the right of Palestinian refugees to work in Lebanon launched mixed signals about the impact of advocacy/Human Rights protection activities involving community participation. On the one hand, they seem beneficial in spreading more quickly and more easily the representations and knowledge created by advocating actors. This may lead to the incorporation of these messages by participating individuals and to the establishment of mobilizing identities based on the community of interests in the long run. In the considered case-study, however, this process had a negligible effect. In fact, it concerned only marginally a large portion of neither the actual decision-makers (i.e. the Christian parties’ members), nor their supporting constituencies. On the other, when it comes down to changing institutionalized legal and social regimes in the short term, community participation seems to limit advocacy effectiveness by making evident political and social fragmentations, thus preventing actors from reaching any form of consensus over the advocated object and/or advocacy modalities. In the case study, the need for social consensus implicit to the idea of the participation of the (whole) community proved to be at odds with the fact that community participation on the wide scale goes through collective actors, such civil society organizations as political parties, which compete for the role of intermediary body inside the Palestinian community.

This tension is what made the advocacy object – namely the demand for a reform of the legal regime regulating Palestinian employment – a hostage in the political debates opposing Palestinian collective actors. Together with the Lebanese apathy to advocacy, this tension is the major obstacle to any further advocacy effort to be undertaken in the Lebanese context, and perhaps elsewhere.

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