

POSITION PAPER

NAHER AL-BARED: THE MODEL WE DON'T WANT **SEPTEMBER 2009**

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*This document is a translated version from the original Arabic one. It was fully published in Annahar Lebanese Newspaper on September 28th, 2009 – Issue 77 no. 23828 at the following link <http://www.annahar.com/content.php?table=kadaya&type=kadaya&priority=1&day=Mon>

On May 20th 2007, a fierce battle erupted in the refugee camp of Naher Al-Bared, in northern Lebanon. The armed forces did not manage to halt the battle quickly. The Lebanese Government, thus, asked residents to evacuate the camp, until the fight came to a stop and promised they would all return, as soon as possible. The battle ended on September 4th 2007, leaving the old camp completely destroyed and the new camp, heavily damaged. Through the Lebanese-Palestinian Dialogue Committee (LPDC), the Government then committed itself to a speedy reconstruction and rebuilding of the camp, in addition to re-establishing security and renewing the ties linking Naher Al-Bared to the neighborhood, so as to serve as a model for other camps and for the Lebanese-Palestinian relations in general.

Some 26,000 Palestinian refugees used to lived in the old camp of Naher Al-Bared, whereas the new one gathered about 10,000 Palestinian refugees and economically marginalized Lebanese families, who moved to the refugee camp and the neighborhood as renting there was cheaper¹.

Established in 1949, Naher Al-Bared is situated 16 kilometers away from Tripoli, on the seaside highway. As from 1950, UNRWA started to offer services to the refugees. Naher Al-Bared became an important commercial hub for the Lebanese from the Akkar region and the most prosperous amongst the 12 Palestinian camps in Lebanon. This was due not only to the very location of the camp - between Tripoli and Akkar, near to the Syrian borders and on the seaside international highway - but also due to the residents' vocation to trade and ability as handcrafters, in addition to the strong relations and bonds they have established with the neighborhood.

The camp has prospered, in parallel with the absence of a Lebanese authority, a consequence of the 1975-Lebanese Civil War, and the control of the Palestinian Liberation Organization (PLO) and the Palestinian factions, control which also extended to the neighborhood. The PLO and the Palestinian factions also played a key role in managing other regions, which were under the rule of what was then called the "Lebanese National Movement". Thus, the oppression residents were submitted to till then by the authoritarian "Second Bureau"² - which forbade construction and commercial activities in the camp - came to an end. Construction and commercial activities flourished and Naher Al-Bared became Akkar's main commercial hub.

***** SUSPICION OF TERRORISM *****

Extremism is unlikely to grow in any prosperous society. It is not logic, then, that terrorist organizations - such as "Fateh Al-Islam" - would thrive in Naher Al-Bared. Investigations and security and press reports on the establishment of "Fateh Al-Islam" all showed that the group was alien to Lebanon and the camps. It disembarked simultaneously in Naher Al-Bared and other places, like Shatila and Burj El-Barajneh camps in Beirut and the Beddawi camp in northern Lebanon. But it was isolated and expelled from these latter locations. As a result, the members of the group left Beirut and Beddawi and joined their counterparts in Naher Al-Bared, where they overcame a Palestinian party, without killing any of its members, though. "Fateh Al-Islam" ripened in this milieu.

¹ The old camp being too small to accommodate the increasing number of residents, several families had to buy land in the neighborhood, namely in the Mohammara and Behnin localities.

² Since the 50s, all camps were submitted to military control. The intelligence branch of the Army (the "Second Bureau") ruled the camps. This situation lasted until the end of the 60s, ending with the signature of the Cairo Agreement.

The Palestinian party in question is known for its ties with a country in the region. Such a situation facilitated "Fateh Al-Islam's" rapid growth in the wide space until then controlled by the Palestinian party in question with its heavy weaponry³. "Fateh Al-Islam" announced its presence in a folkloric way, with its leaders and spokespersons posing for the cameras and the media with their faces covered by Palestinian "koffiyeh" ("national scarves") and carrying arms. Once spotlighted, camp residents were immediately suspected of terrorism, though many signs indicated that they rejected "Fateh Al-Islam", whose members had paid double price to buy buildings in the camp and entered in conflict with other Palestinian factions. However, "Fateh Al-Islam" proved more powerful both in strength and in number of militants. No one managed to eradicate the group, strengthened in its ranks by militants who had easily (!) fled from Beddawi and the camps in Beirut. They hid themselves in places difficult to be spotted and secretly intensified their presence, both in terms of militants and weaponry before unveiling their identity.

Anyway, the suspicion of terrorism that hung over the camp can be dismissed by the fact that, out of some 400 militants who initially formed the "Fateh Al-Islam" group, residents of Naher Al-Bared did not exceed a handful. The legal procedures and security investigations conducted at the end of the battle, which resulted in the imprisonment of about 200 members of the group, gave enough a proof of this fact.

***** PROMISES AND PROMISES *****

Before addressing the negative sides of the question, it is important to recognize that the Lebanese Cabinet, chaired by Prime Minister Fouad Siniora, was the first to launch mechanisms, though still not implemented, to put the Lebanese-Palestinian relations back into the right track, be it on the social, civil and economic levels, as far as the refugees themselves are concerned, or on the political level, as far as the PLO is concerned.

Within the same context, Premier Siniora's first Cabinet took several steps, such as:

- creation of the Lebanese-Palestinian Dialogue Committee (LPDC) in October 2005 by an order issued by the Council of Ministers
- launch of a series of dialogue initiatives with Palestinians, in order to reach a unified vision over the present and future situation of Naher Al-Bared camp and the status of the Palestinian refugees in Lebanon in general
- official recognition of the PLO, by allowing the re-opening of its representation bureau in Beirut, assigning Embassy status to it on May 16th 2006. Note that, before that, the Lebanese Cabinet was not allowed to deal, directly, with the PLO. The latter had been denied an official presence in Lebanon, so as to prevent its easy and free contact with the Palestinian community living here

In fact, since the Nakba, and the forced Palestinian exodus to Lebanon, and until the flare-up of the civil war in 1975, none the consecutive Cabinets have come up with any piece of legislation to discipline the presence of a civil Palestinian community in the country. The sole exception is the establishment, in 1962, of the General Directorate of Refugees Affairs, affiliated to the Ministry of Interior Affairs. Later on, in 1969, the Cairo Agreement was signed, under the pressure of the growth

³ All PLO-affiliated Palestinian factions handed their heavy and medium-range weapons when the Lebanese authorities ordered the dissolution of the militias in the 1990s.

of the Palestinian military presence inside and outside the camps, as well as the incapacity of the Lebanese State to settle the ensuing conflicts.

From 1975 to 1982, though powerful enough to influence developments in Lebanon, the PLO refrained from activating the clause from the Cairo Agreement related to civil rights and the right to work. Thus, as the PLO withdrew after the Israeli invasion in 1982, successive Cabinets issued consecutive ministerial decrees restricting Palestinian access to more than 70 professions.

In fact, during the 1990s, after the battle was settled with Prime Minister Michel Aoun, at that time the head of the military Cabinet, none of the subsequent Cabinets dared to recognize any of the Palestinian refugees' rights. On the contrary, Palestinians were not allowed to buy property, by virtue of the Law on foreign-owned property passed in 2001 and this is one of the clearest breaches of human rights as stipulated by the International Charter of Human Rights.

Moreover, after the assassination of Premier Rafic Hariri, Cabinet Ministers did nothing to improve the status of Palestinian refugees. In spite of its good intentions, Hezbollah Labor Minister Trad Hamadeh's 2005 order allowing Palestinians to work in the liberal professions which do not require Syndicate registration did not produce any practical results: in fact, things became more complicated. The Minister's order did not address the obstacles burdening Palestinian access to the labor market in Lebanon. Paramount among these obstacles are the need to obtain a work permit and the negative impact Hamadeh's order has at the end had on employers' decisions to hire Palestinian refugees.

Thus, the period after 2005 was pregnant with promises to improve the life conditions of Palestinians. Sometimes, these promises were close to being implemented, like the Ministers' visits to the camps organized by the LPDC so that they could check out directly the miserable situation there. However, those visits came to a halt as the security situation worsened and a sequence of assassinations and bombings took place.

Promises proliferated during and in the aftermath of the battle in Naher Al-Bared. In fact, statements issued by Premier Fouad Siniora and the LPDC President Khalil Makkawi remained promises only. **The reasons for that need further discussion, to be conducted by other analysts.**

Despite the promises made during the battle about the speedy return of the residents, rubble removal did not start until late 2008, and the foundation stone for the reconstruction was not laid until March 2009. None of the destroyed buildings has been rebuilt yet and only 900 families have returned to the still-habitable houses in the new camp.

In a ceremony held in February 2008, attended by LPDC President, representatives of UNRWA, PLO and Palestinian factions as well as diplomats, Premier Siniora declared the launching of the reconstruction project of Naher Al-Bared and the neighborhood. Addressing the financial difficulties that hampered the reconstruction of the camp, Makkawi told NOW Lebanon website, on July 26th 2009, that the Lebanese Cabinet requested the sum of 450 million dollars from the international community during the Vienna Donor Conference held in June 2008. However, the amount effectively collected until July 2009 hardly reaches 120 million dollars.

Moreover, while laying the foundation stone of the project for the reconstruction of the camp, Karen Abu Zeid, the Commissioner-General of UNRWA (which supervises the rebuilding, along with the Lebanese Cabinet and the PLO), stated that the process would take longer than expected. She signaled out that there were some relevant challenges and that thousands of families had either rented houses outside the camp or were living in temporary accommodation. Early in September 2008, UNRWA called on the international community to gather some 445 million dollars, but only 42 million dollars were effectively collected.

It was promised that reconstruction would start in 2009 and finish in 2011. Once the rubble was removed, reconstruction on the first of the eight sectors of the camp should start in May 2009, so as to provide accommodation for residents within three months. As for the second sector of the camp, reconstruction was to have started simultaneously with that taking place on the first sector, so that the rebuilding in all of the eight sectors would be accomplished on time, according to plan. **But up to today, no single building has been completely reconstructed!?!**

***** EMBARGO INSTEAD OF CONSTRUCTION *****

Since the end of the battle, Naher Al-Bared camp and its close neighborhood have been turned into a military zone. Thus, uncontrolled movement into the camp is not allowed and checkpoints by the Lebanese Army have been set up at all the entrances of the camp. Measures have also been undertaken to control the entry into the camp. Whoever wants to enter the new camp (as accessing the old camp is absolutely forbidden) has to obtain a permit from the Lebanese Army Intelligence. Such permits are temporary and valid at most for two months. In addition to this, the requirements to be met in order to get and renew a permit change, getting more complicated over time.

Even when one manages to obtain a permit, treatment at the checkpoints varies according to the mood of the soldiers appointed to check the papers of the passers. Sometimes, they just follow the orders, checking the papers and inspecting vehicles. At other times, however, they bother passers, namely by claiming that they do not hold all the required papers, even when they effectively do. Some soldiers even insult and intimidate passers, making them wait for hours, regardless of the latter being children, women or elderly. Sometimes, they even draw their weapons against the passers without any valid reason, threatening not to let them in.

Moreover, and under the pretext of preserving the secrecy of movements by military units and guaranteeing the security of reporters and journalists, the latter were not allowed to get close to the battlefield during the fighting. Even when the battle stopped, this embargo was kept in place, this time under the pretext that there were mines, shells and unexploded bombs that might endanger their lives. These restrictions against the freedom of the press have been maintained, even after the ruins were cleared away and the danger represented by mines, shells and unexploded bombs ceased to exist. Still, reporters and journalists are not allowed in. Thus, two questions are relevant here: Why is such a procedure kept in place? Does this aim to keep the secrecy over what was/is still happening inside the camp?

***** WHICH SECURITY? *****

As a consequence of what has been mentioned before, it might be asked: what type of security is envisaged for Naher Al-Bared as well as for the rest of the Palestinian camps? Moreover, which

security concept is to be applied? Is it the traditional security that is based on the direct military rule over the civil community and on laws issued during the Ottoman and French mandate periods, if not before? Or is it the human security that is based on modern concepts and relies on legal and economic elements as well as social awareness?

In fact, the Naher Al-Bared case served to put in question, in a comprehensive way, the type of security envisaged: it addressed issues of practical implementation, inviting interrogations as to whether it is the Lebanese legitimate troops that should respond for the security in the area, for the reason that they have defeated "Fateh Al-Islam", or whether the very concept of security – traditional or modern – should be further discussed.

Concretely, oppressive security practices have been resumed. Such practices reminded Palestinians of the 1960s. At that time, refugee camps were ruled by military law and controlled by the Army Intelligence known as the "Second Bureau". At that time as well, treatment of camp residents varied according to the mood of the security officers. Entry into and exit from the camps, construction inside them, work, etc ... were all ruled by military orders. These dreadful memories were also recast by the "security measures" adopted after the battle in Naher Al-Bared, requiring that camp residents obtain permits issued by the Army Intelligence to enter and exit the camp. Such measures recalled for the first generation of refugees the permits they had to obtain to travel to South Lebanon or to move their residences from one camp to another. They also loaded the memory of the new generations, making it evident also for them that hostility against Palestinians in Lebanon remains firm and is based on racism. This represents a dangerous and persistent risk. Firstly, the old generation could step backwards and re-arm in order to protect the security of the camp, just as it happened during the transition period between the end of the 1960s and the beginning of the 1970s. Secondly, the new generation may come to question whether violence is a way of confronting the increasing oppression. As a result, the conflict between the camp and its neighborhood and between the camp and its security rulers may arise again, adding new sources of tension to those already existing among the Lebanese.

A poll carried out by the company International Information during the battle with more than 1500 respondents living in the camps showed that refugees do not trust the Lebanese security forces. In fact, when asked about who should control the security in the camps, only 11.5% have chosen the Lebanese security forces, while 31.1% pointed the PLO, 31.4%, the Palestinian factions, 8.4%, Hamas, and 9.6% Fatah.

What has been said before points to the necessity of implementing the concept of human *security*, as discussed during several meetings, some of them held by the Lebanese-Palestinian Dialogue Committee (LPDC).

The human security concept accounts for the need of individuals to feel safe and for the obligation of respecting the Law, instead of having a situation where legislation is imposed upon them by force, without any consideration of the necessity to raise awareness of the community about such issues.

During a workshop organized by the Lebanese-Palestinian Dialogue Committee (LPDC) from December 17th to 19th 2008 at Al-Bustan Hotel, Professor Mary Kaldor, who directs a group in charge of

discussing human security issues in the European Union, presented a comprehensive definition for the concept in question, as follows:

- 1- The security of individuals and the societies where they live is contrary to the traditional security concept that the State offers.
- 2- Security has an interconnected nature, linking "liberation from fear/violence and poverty (i.e. the absolute absence of economic security)".
- 3- The distinction of 'domestic' and 'abroad' should be overcome, so as to reach a situation of overall rule of Law prevailing over collisions and wars.

Kaldor pointed out that, in Canada, the vision of human security is based on the protection against political and criminal violence and this cannot be disconnected from economic security, which means that the combat against unemployment, poverty and marginalization should be pursued, in addition to strengthening human development.

She stated that the principles of human security are listed as follows: the prevailing of human rights, the rule of Law and the partnership with the community so as to identify respective needs and raise awareness among both security officials and residents.

The workshop also discussed practices carried out in Ireland, USA and Canada. It addressed the experience of Community Policing as well. The several points of view discussed on that occasion could be summarized as follows:

The representatives of the two arms of the Lebanese Security – the Lebanese Army and the Internal Security Forces – presented two different ways of tackling the issue. According to the first one, presented by the representative of the Lebanese Army, the State should be responsible for security, taking into consideration, however, Palestinian refugees' rights and securing proper dialogue with the latter, so as not to recall the memories of the period of the security and military rule of the "Second Bureau". The second approach, advocated by the representative of the Internal Security Forces, is tighter and considers that the national sovereignty demands direct security rule and nothing else. Other ideas were also voiced, such as implementing Community Policing, properly adapted to the reality here, without changing, nevertheless, the fundamentals of the human security concept. The representatives of the Lebanese state said that the community police should be formed by agents and officers of the Lebanese security. The latter should be sensitized to the humanitarian dimensions of the question and the participation of some civil residents of the camp might be contemplated. The representative of the Internal Security Forces, however, disagreed with such a line of action.

The results of the opinion poll mentioned above highlight that the eventual adoption of community policing needs to be adapted to the reality here and that the implementation of traditional security measures should be avoided, even if under a "modern" disguise, through, for instance, slogans on social and human security. It might be possible – **and this is a suggestion for thorough study and examination - to adopt the municipal policing experience in Lebanon and adapt it to the social security concept. Therefore, the popular committees present in the camps would be elected directly by the residents, linked to the neighboring municipalities and become integral parts therein. They would also operate according to the same governance and electoral regulations that rule the councils of the municipalities. Such a procedure would put**

an end to the designation quotas imposed by the political factions. The civilian police members would be selected among the residents of the camp and would respond to the elected popular committee. Consequently, just as it happens to the municipalities, the elected popular committees would be ruled by the legitimate authority that is represented by the Ministry of Interior Affairs and Municipalities. A cooperation formula might be attempted between the representatives of the legitimate authority of the Ministry of Interior and the civilian police of the camp - based on the human security concept and the experience of community policing. This does not necessarily mean that the presence of the ISF police in the surroundings of the camps should be discontinued.

***** THE KNOWLEDGE-RELATED SECURITY...
FLOW OF INFORMATION AND FREEDOM OF THOUGHT *****

Should the security issue be resolved, it would be necessary to tackle the issue of knowledge, that means, the flow of information and the freedom of opinion, as protected by the international charters on human rights, and which have been de facto restricted by the status quo, even if not by virtue of the Law.

Once again, the Naher Al-Bared camp and the resulting experience serve, unfortunately, as a concrete example! Given the current situation of the Lebanese media, information flowed, during the battle, in a way to meet the best interests of the media itself and its domestic or foreign affiliation. For example, and without being exhaustive, the Qatari Al-Jazeera, Hezbollah's Al-Manar, New TV and the March 8th coalition's newspapers focused on the humanitarian situation of Palestinians and exaggerated the number of victims amongst them. For their turn, the Future Movement, LBCI, Al-Arabiya and other March 14th coalition's media, focused on the criminal side of "Fateh Al-Islam". Thus, each of those media presented information through the lens of the respective political affiliation of each party.

During the war, reporters and journalists had very limited access to the battlefield, due to security risks, being prevented from observing the movements of the Lebanese Army on the ground. However, exceptions were made with the aim of covering some selected operations of the Army. The media groups allied to the powers that did not want the Army to wage war against Naher Al-Bared unofficially broadcasted footages and reported information they obtained from inside the camp, not indicating how and who leaked such information!

By the end of the battle, the situation remained unchanged. Reporters and journalists went on being denied access to the camp to directly observe what was happening in that security besieged-space, perfectly cut-off from the surroundings by the Lebanese Army. Only information issued by official authorities could be reported and that had nothing to do with the facts. For instance, credible information given by Palestinian sources was absent, as the Palestinian factions were either weak or drown in their own political and ideological conflicts.

But there are worse and even more critical aspects. Freedom of opinion also fell victim to intimidation, disguised as advice, but informed by security concerns. Writers and university professors protested against the ongoing situation and practices in Naher Al-Bared and surroundings, considering them as an example of Palestinian exclusion. An official authority

initiated a firm, but altogether unnecessary, reply against them. Reactions afterwards continued, when a writer, who is not specialized at all in the field, threw a flow of racist accusations and insults against the professors constraining their freedom of opinion. The professors, though, were referring to facts and their freedom of opinion is guaranteed by laws and regulations.

As it usually happens, authorities', politicians' and the media's reactions to comments by Palestinians or supporters of the Palestinian rights were out of proportion; In fact, such reactions are usually characterized by being irrational, stressing, for example, only the negative events of the Palestinian experience in Lebanon - even though the Palestinian representatives have already apologized for that - **and ignoring** the significant positive contribution of Palestinians in Lebanon on the economic, educational, cultural and social levels.

Thus, it is important to observe the way information is reported and emphasize that it should not be the object of manipulation. Information should address, instead, the human aspects of every event and respect freedom of opinion, as an integral part of a modern, broad and comprehensive concept of security. This is another topic that needs to be further discussed.

***** AN EXPERIENCE NOT TO BE REPEATED *****

The critical violation of human rights currently happening in Naher Al-Bared and the embargo placed on the camps in southern Lebanon are urgent issues demanding thorough analysis. They need to be dealt with carefully, mainly through the lens of the rights, obligations and the Law. This aims to put an end to the injustice, unjustified in any instance - morally, politically and on a humanitarian level. - suffered by camp residents who, nevertheless, complied with all official requests during the battle and afterwards, with the cooperation and full support of the PLO. It is high time that residents, whose lives were put at risk by terrorism, regain their normal lives. Although they will never forget what has happened, it is important to keep those events as memory so that they shall not be repeated. It is also important not to turn those events into profound wounds and indelible scars leading, potentially, in the future, to dangerous social, security and political consequences so difficult to deal with.

In fact, two years ago, the so-called "**Al-Bared War**" was officially over. Even though the smoke of the battle is vanishing by now, there are signs of a new catastrophe hitting Palestinian refugees in Lebanon, yet another one in a series. The camp, namely the one known as the old camp, is today a totally empty space. As for the new camp, houses there were critically damaged if not destroyed. Palestinian refugees paid twice the costs of the regional and internal political polarization... The first time Palestinians paid the price was when the terrorist group "Fateh Al-Islam" occupied Naher Al-Bared, backed by foreign powers, as reported then in the media and the statements by Lebanese politicians. The second time was when that terrorist group attacked the Lebanese Army troops and savagely killed more than 20 soldiers, shortly before direct confrontations broke out. Thus, refugees fled from their houses, paving the way for the Lebanese Army to settle the battle and avoiding being used as human shields. However, the civilian population has not, up to this day, been able to get back to their homes. Just as it happens with the issue of settlement ("tawtin"), the **re-building plan also became a heavily loaded subject for politicians in Lebanon.** Construction works are suspended by virtue of a verdict. Such a verdict was issued based on information provided by one political group

that actually attempts to sabotage its opponents. The result is that Palestinian refugees are the only victims... they have paid the price of war and have become the victims of peace.

The "Al-Bared" crisis is one among several crises that have shaken the Palestinian camps, namely since 1974, when continuous Israeli raids destroyed the Nabatiyeh camp. Its residents were displaced to Saida and Tyre and never went back. Then, in 1976, the camps of Tal Al-Zaatar and Jisr Al-Basha were also destroyed and never rebuilt. The Dbayeh camp as well was partially destroyed and only part of its residents went back. Moreover, the war of the camps in 1986 only ended when a major section of the Shatila camp had been destroyed. The Syrian intervention, at that time, contributed to ending the battle there, and, as a consequence, some Syrian special military units were deployed outside the Shatila and Burj El-Barajneh camps in Beirut, while the Lebanese Army was deployed around the camps in Southern Lebanon (Ain El-Hilweh and Miyeh w Miyeh camps in Saida; Burj El-Shemali, Al-Buss and Rashidiyeh camps in Tyre). **Thus, an embargo was imposed on the Southern Lebanon camps which disrespected human dignity. Such embargo, nonetheless, has not prevented weapons, wanted persons and suspects from entering and exiting the camps. Instead, its consequences were the establishment of security islands and an adequate environment for criminal acts, drugs and delinquency. As a matter of fact, the embargo paved the way for extremist and terrorist groups and organizations to grow up and exploit marginalization and isolation to build up their strongholds there.**

Basically, Palestinian refugees in Lebanon have paid the costs of the civil war, as they were its fuel. But when that war finished, they turned to be the victims of the peace. In the Taëf Accord, they have been excluded from the general amnesty over what happened during the civil war, unlike the treatment given to the Lebanese. They were denied the civil rights stipulated by the International Charter on Human Rights, under the pretext of preventing naturalization and "tawtin". Such a pretext serves to politicians as a barricade to file accusations against their opponents. **Still, Palestinians pay the price: today, they are marginalized; tomorrow, they will be the target of racist hate, and such a target will be permanently useful for denominational, sectarian and political mobilization.**

Such a situation contradicts, in fact, all human rights standards. It does not fit at all with the orientation of the post-2005 Cabinet; neither does it with the President Michel Suleiman's inaugural speech, the official guidelines currently being deliberated and public statements by all the Lebanese politicians!

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