



المنظمة الفلسطينية لحقوق الإنسان (حقوق)
Palestinian Human Rights Organization - PHRO
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SECURITY FOR FREEDOM, THE IMPOSSIBLE TRADE:
HOW THE LACK OF HUMAN RIGHTS LED TO THE CURRENT CRISIS IN NAHR EL-BARED

In light of the recent events, started on Friday June 15th 2012, that erupted in the area of Nahr el-Bared camp and consequently sparked reactions in several others Palestinian refugee camps all around Lebanon, the Palestinian Human Rights Organization (PHRO) has decided to issue the following statement. We aim to help clarify the situation and suggest a few policy measures that, if immediately implemented, could significantly reduce the risk of other exploitations of the Palestinian refugees at the hand of parties and factions from the whole national and international political spectrum.

Several media outlets have reported that, on Friday June 15th, two unidentified Palestinian refugees riding a motorbike were arrested after they failed to show their IDs during a routine control at an army checkpoint, inside the Nahr el-Bared camp area. As a consequence to their arrest, hundreds of refugees took the streets and allegedly started hurling stones at army personnel while also blocking roads inside and outside the camp with burning tires. A statement released by the Lebanese Armed Forces (LAF) says that the soldiers responded by firing live ammunitions in the air in order to disperse the crowd and regain full-control of the streets. Nonetheless, during these confrontations, an underage bystander by the name of Ahmad Qassem was fatally hit; several others inhabitants of the camp were either injured or arrested.

However, information gathered by PHRO members through interviews with several witnesses depicts a different story. According to our sources, **an army patrol inside the Adjacent Area of Nahr el-Bared** saw a motorbike parked on the street, next to a shop where the motorbike's owner, a 24-year-old male inhabitant of the camp, was located at that time. The patrol stopped and inquired the owner about the motorbike. Soon after, a verbal and physical altercation between the motorbike owner and the patrol started; the soldiers promptly threatened and attempted to seize the vehicle. Additionally they tried to arrest its owner. **Given the situation, the motorbike owner decided to leave the area of the row and walked to his nearby house to get the documents regarding his vehicle.** The patrol, comprising either 4 or 5 soldiers, followed the man inside his house and there attempted to take him to an army office.

The situation escalated quickly, as the members of the patrol beat the motorbike owner and physically pushed and intimidated his mother and sister, who were inside the house at the time of the accident. The two Muslim women at the time were unveiled, not expecting this violation of their privacy to occur. At that time, tens of neighbors of the refugees gathered and got involved in the quarrel. They were spurred mainly by **the violation of the private space and the use of force on the mother in the house, who was pushed and made fall on the floor.** The reaction of the neighbors does not come as a surprise to us or to anyone knowing the Palestinian community. **The acts perpetrated by the LAF in this occasion have certainly**



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been perceived as humiliating of the dignity of the women of the house, of their family and thus of their community in general.

The soldiers then exited the habitation and started to fire live rounds in order to disperse the crowd. In this moment the shots were fired in the air. However, the crowd continued to swell and some protesters started to block roads using burning tires as barriers. At that point, more army personnel intervened and, **in an attempt to regain full control of the camp, shot live ammunitions directly on the crowd. As a consequence of this, Ahmad Qassem, a 17-year-old male bystander, was hit in the head by a live bullet and died.** Five others were injured. The protests that led to the killing of Ahmad Qassem were stirred up by the violations committed in the camp that day and, in general, by the persistence of the state of exception imposed on Nahr el-Bared. **The military zone in fact is still in place even though no weapons or armed groups are present there and no internal clashes had happened since 2007.**

In the immediate aftermath of this incident, a meeting between leaders of different Palestinian political factions was held in Beirut to develop a common position aimed at reducing the risk of degeneration of this incident.¹ After that the outcomes of this meeting were communicated to representatives in the north, another meeting, this time between LAF Officials and Palestinian representatives, from both PLO and Tahaluf factions, was held. **The goal of it was once again that to quell the situation in the camp and avoid any possible political exploitation in light of the recent events that plagued northern Lebanon, where inter-communal strife, kidnappings and targeted killings have returned to be actualities.** On the evening of the following day, Saturday June 16th, the Palestinian Ambassador to Lebanon, his Excellency Ashraf Dabour, and the representatives from different political factions went to talk to the inhabitants of Nahr el-Bared, trying to ease the tension permeating the camp and encouraging people to carry out the funeral of the deceased.

After this, on June 18th, the funeral of Ahmad Qassem took place in the Adjacent Area of the camp. After negotiations it was decided to bury the deceased in Khalid ibn el-Walid cemetery, inside the Adjacent Area. However, while the funeral was marching towards the cemetery, some people inside the march started to insult the ones leading it. **The reason for this was the affiliations of the people leading the march to different political factions considered to be co-responsible of the current Nahr el-Bared situation. The protesters also deemed attempts to settle the current crisis with the army treason of the refugees' cause.** The same group of protesters started then to mobilize other people attending the march, asking them to go "free the Samed area".

The Samed area represents a part of Nahr el-Bared camp that is the object of a controversy, it used to belong to the PLO, but is now under LAF control. **Even though a human barrier made of**

¹ All the Palestinian factions involved agreed to tone down this incident as much as possible and to cooperate to the deepest extent with the Lebanese Armed Forces. The main concern of all factions was to avoid both the risk of a spread of the incidents to other camps and a political exploitation of what had already happened.



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young men and women from the camp had been set up to separate the funeral march and the army, a number of protesters managed nonetheless to reach a LAF post in the Samed area. At that point, they started to provoke the military personnel deployed there, first by yelling them insults and then by hurling stones and Molotov cocktails in their direction. At that point the soldiers present in that area decided to open fire on the protesters, using the rubber bullets with whom they were equipped. After that, the protesters assaulted an army post and burnt it along with an armed vehicle of the LAF. **In an attempt to protect this post, LAF soldiers stationing in a nearby place of duty started to shoot on the crowd as well, but in this case using their rifles charged with live ammunitions. As a consequence of these actions, a 42-year-old male Palestinian refugee by the name of Fouad Muhieddine Loubaneh died during the confrontations.** Several others were injured; at least one of them is still in life-threatening conditions at the time of writing this report.

The reported events are yet another example of the endless violations and cases of ill-treatment occurred at the expenses of the inhabitants of Nahr el-Bared. **Firstly, the soldiers carried out an operation of street policy that does not fall under their responsibilities.** Some would probably argue that Nahr el-Bared is a military zone under state of emergency, thus giving the army room for any kind of operation under the pretext of ensuring State Security. However, as we have previously pointed out in our reports,² **the state of exception of the Nahr el-Bared area has never been legally declared, which makes the whole implementation of military zone and permit system absolutely illegal.**³ Secondly, the soldiers involved in Friday's accident managed to commit several other violations. **As they first entered a private house, with no permission, and then used physical force on a woman living there before finally shooting dead an underage bystander, they managed to violate at the same time: Women Rights, Rights of Minors and more generally Human Dignity.** In this particular historic moment, that sees the whole Middle Eastern region swept by uprisings calling for increased respect for the rights of its inhabitants, on top of them dignity and freedom, as well as more accountability for armed and police forces, **these events mark several steps in the wrong direction for Lebanon.**

For these reasons, even though despicable actions have been committed by some refugees, we believe that the major responsibilities have to be pinned on the Lebanese Armed Forces, who failed to implement a sustainable security situation in the camp area, and the Lebanese Government,

² PHRO Report, "Lebanese Restrictions on Freedom of Movement: Case of Nahr el Bared Camp", November 2010, http://palhumanrights.org/NBC/ENG/Freedom%20of%20Movement_ENG_web.pdf and PHRO Report, "Camp in Fear, Camp in Want: Human Security Assessment for Nahr el-Bared Camp", March 2011, http://palhumanrights.org/rep/ENG/Camp%20in%20Fear-Camp%20in%20Want_Final-A4.pdf.

³ Article 65 (paragraph 5) of the Lebanese Constitution confers on the Cabinet the power to declare a state of emergency. In addition to this Article 2 of the legislative decree no. 52, issued on August 5th 1967, states that: "an emergency or military zone is declared through a decree of the Council of Ministers, afterwards, the Parliament should meet in a period of 8 days, to consider this measure if it is not in session". This clear legal procedure to declare a state of emergency was not followed nor taken into consideration in the case of Nahr el-Bared. See PHRO Report, "Lebanese Restrictions on Freedom of Movement", p. 13-14.



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who failed to deliver the promises made after the conclusion of the 2007 conflict that led to the destruction of Nahr el-Bared's old camp. The international community is also co-responsible of this situation since it has continued to train and equip the LAF during these last 5 years despite the proved and documented violations of human rights that were, and still are, committed by LAF personnel through torture and other acts detrimental to human dignity.

As a matter of fact, after the 2008 Vienna Donor Conference, where the Lebanese Government raised funds to speed up the camp reconstruction and launch a **"new model"** for its management, nothing has been done to implement the Human Security situation in Nahr el-Bared. **On the contrary, we have witnessed endless violations of human dignity and human rights, at the expenses of the camp's inhabitants, committed through the checkpoint and permits systems implemented by the LAF.** As of today, Palestinian refugees living in Nahr el-Bared are still subject to a **permit system that profoundly hinders their freedom of movement**, a universal right recognized by several international treaties of which Lebanon is a signatory.⁴

Sadly, in writing this document we are driven to look back at our previous reports concerning the situation in Nahr el-Bared, where we wrote that: **the non-compliance of human security has only led to further resentment from the refugees and this will lead to State Insecurity.**⁵ We were not the sole stakeholder worried by the situation in this camp, as a recent International Crisis Group's report clearly shows.⁶ **Only the LAF seems to have not understood that harshly enforcing martial law on a closed, overcrowded and discriminated urban space leads to a deterioration rather than a consolidation of State Security.**⁷ **It is not feasible to think that a population exposed to a chronic lack of economic, food, health, community, environmental, and personal security, will not be the object of dangerous political games.**⁸

⁴ Among them: the Universal Declaration of Human Rights (art. 13), the International Convention on the Elimination of all Forms of Racial Discrimination (art. 5), the International Covenant on Civil and Political Rights (art. 12), the Convention on the Elimination of All Forms of Discrimination against Women (art. 15) and the Declaration on the Human Rights of Individuals Who are not Nationals of the Country in Which They Live (art. 5). For further information: Ibid, p. 4-10.

⁵ See PHRO Report, "Camp in Fear, Camp in Want", p.17.

⁶ International Crisis Group, "Middle East Report N°117 - Lebanon's Palestinian Dilemma: The Struggle Over Nahr al-Bared", 1 March 2012, retrieved from: [http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/Iraq%20Syria%20Lebanon/Lebanon/117-lebanons-palestinian-dilemma-the-struggle-over-nahr-al-bared.pdf](http://www.crisisgroup.org/~/media/Files/Middle%20East%20North%20Africa/Iraq%20Syria%20Lebanon/Lebanon/117-lebanons-palestinian-dilemma-the-struggle-over-nahr-al-bared.pdf)

⁷ The importance to respect Human Rights and Human Dignity in order to protect State Security is clearly expressed in the third preamble of the Universal Declaration of Human Rights where it is stated: "Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law". See "The Universal Declaration of Human Rights", retrieved from <http://www.un.org/en/documents/udhr/index.shtml>

⁸ See PHRO Report, "Camp in Fear, Camp in want", p. 5-18.



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With all this considered **we call then on the Lebanese Government** to immediately reduce the presence of the Lebanese Armed Forces to the outside of the Nahr el-Bared camp. Furthermore orderly and respectful conduct by the security forces must be ensured at all times. As for the permit system, it must be completely lifted, in order to stop the social and economic exclusion targeting the inhabitants of Nahr el-Bared. **The Lebanese authorities must begin to approach the Palestinian refugee's community with a broad and organic approach that does not focus merely on security issues.** With regard to this particular incident, an independent investigative body with a clear mandate and tasks should be set up to look into and clarify what happened during these days.

In order to ensure that these steps are taken, and that the commitment of human rights' violations ceased, **all the relevant stakeholders should act concretely and unanimously.** NGOs, workers' union and all the actors of the Lebanese civil society should express a clear position on the Nahr el-Bared situation and pressure the Government to address it. Close attention to this crisis should also be paid by the **United Nations Special Coordinator for Lebanon and the Office of the High Commissioner for Human Rights**, especially in light of the imminent mid term review on the state of human rights' respect in Lebanon, scheduled to take place this fall.

The international community must immediately cease its support for the LAF both through training and equipment. **The EU in particular should consider these events in light of the current discussions on the Action Plan regarding Lebanon.** The development of political cooperation and economic support between the EU and Lebanon should be started only consequently to the latter's respect of human rights for both its citizens and the refugees it is hosting.

As for the Palestinian Authority, while we welcome the efforts and interest put forth by President Mahmoud Abbas, in a direct conversation with Lebanese President Michel Sleiman, **we must also underline the lack of any reference to the Lebanese crisis in the statement put out by the Palestinian Cabinet after its meeting of June 19th.**⁹ A more vocal and direct approach to this crisis should be taken by the Palestinian National Authority through all its offices. **Palestinian representatives in crucial institutions like the EU and the UN should also address the situation in Nahr el-Bared more clearly and pressure these institutions to support our stances.**

Regrettably we must also address the issue of media bias. We decided to present a clear and documented account of what happened in these days because, **once again, several Lebanese media outlets decided to portray Palestinian refugees as the sole responsible of a situation in which, in reality, they were the victims.** The refusal to hold the army accountable for its misdeeds, while Palestinians refugees are implied to be either operating with a political agenda or with armed groups, confirms a perilous trend that we have already witnessed in the

⁹ See: Palestinian Cabinet Meeting Statement, 19 June 2012, retrieved from <http://www.palestinecabinet.gov.ps/site/461/default.aspx?tabID=461&ItemID=113163&mid=3148>



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past.¹⁰ **It has also been extremely disturbing and worrisome to witness the attempts carried out by certain TV channels to mislead the Lebanese public opinion and the international ones as well.** Certain news outlets in fact talked about the funeral in Nahr el-Bared while broadcasting footages of armed Palestinian refugees. **We must remind once again that the camp of Nahr el-Bared is completely devoid of weapons since 2007 as it is under tight control of the Lebanese Armed Forces.**

Finally PHRO would like to invite all parties involved, and especially the inhabitants of Nahr el-Bared, to the maximum calm and caution possible. In a moment of great tension, for the Middle East in general and for the area surrounding Nahr el-Bared in particular, **we fear that this situation might be exploited by different factions and movements. In the past, Palestinians and their cause have been used as political tool by everyone in the national and international political spectrum, we do not think that this time will be any different.** Nonetheless, we support any act of civil disobedience (e.g. sit-ins, marches, strikes) aimed at peacefully protesting the current situation. **The same recommendation goes to the Palestinian community in Lebanon as a whole, the risk of a spread of violent clashes and confrontations to other camps must be avoided at all cost.**

Nahr el-Bared is more and more coming to represent the epitome of the tragic relations between Palestinian refugees and the Lebanese State. What was seen, until 2007, as an example of a prosperous camp, where Lebanese and Palestinian lived with a high degree of integration, has rapidly become a worrisome precedent. A constant reminder to Palestinian refugees in Lebanon that their lives could be irrevocably turned upside-down from one day to another. By contrast, in 2008, the Lebanese Government and many others viewed this as an opportunity to develop a new scenario, where refugees would entrust the State with their security in exchange for enhanced living conditions. **So far everything has moved in the opposite direction, but if the Lebanese Government is serious about changing the current, unbearable, situation, then this moment is as good as any other.**

PHRO is an independent non-governmental organization, established in 1997, recognized in Lebanon under registration no. 36/AD and works for promoting, protecting and defending the Human Rights of the Palestinian Refugees in Lebanon. PHRO is a member of the international Federation for Human Rights (FIDH), the Euro-Mediterranean Human Rights Network (EMHRN) and the Arab Organization for Human Rights (AOHR).

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¹⁰ See The Electronic Intifada, "Palestinians in Lebanon rise up in protest at military murder of young refugee", retrieved from <http://electronicintifada.net/content/palestinians-lebanon-rise-protest-military-murder-young-refugee/11412>