

NGO Group for the Convention on the Rights of the Child
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**Palestinian NGO Report on the Rights of the Palestinian Child in
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1- INTRODUCTION:

Depending on the results of research and statistics of samples which NGOS working in. Palestinian milieu in Lebanon got to, we present this paper, to participate in clarifying the circumstances and the rights of the Palestinian child, and the prevailing problems and difficulties, seeking help to find solutions, on the basis of the Lebanese law and legislation concerning the child, and the basic principles drawn in the Convention on the Rights of the Child and the Plan of Action approved in the World Declaration in the World Summit for Children.

II -THE PARTICULARITY OF THE SITUATION OF THE PALESTINIAN CHILD:

a) NGO's notice that P.L.O. institutions did not establish formal reference to which plans could be submitted, or to set regulations concerned with the rights of the Palestinian child. Likewise, there is no agreement between PLO and the Lebanese government for the protection of the rights of the Palestinian child. In addition, UN agencies e.g. UNR WA, UNICEF, WHO . . .etc.

do not form the capable reference to implement agreements concerning Palestinian children in Lebanon.

On their part, Palestinian NGOs are subject to the Lebanese law, which studies carefully their establishment and role. They are capable of alleviating the minimum of the social, health and educational problems from which the Palestinian child living on the Lebanese territories suffers.

b) No official Lebanese statistics on Palestinians in Lebanon are announced .. what is available is data collected by UNRWA and other bodies to fill this gap. These are often incomplete and inaccurate.

c) In spite of the fact that Lebanon approved and ratified the Convention on the Rights of the Child on Sept.30 1990, the Lebanese law considers the Palestinian child as a foreigner, and he does not enjoy many natural rights confirmed in the UN Declaration on Human Rights, e.g. education, health, work, housing, . . .etc.

III- DEFINITION OF THE CHILD:

- A view on Palestinian children in Lebanon:

The Lebanese Civil Law (Article 4) defines the child as every person below the age of 18 years.

Presuant to this, a research carried out by PLO Central Bureau of Statistics in 1993, shows that 43% of Palestinians in Lebanon are under 18 years of age.

Due to lack of safety measures in refugee camps, the Israeli aggression caused the death of many children and many others were seriously injured and became disabled. A statistic by PLO-CBS in 1992, on children's casualties shows the following:

AGE GROUP DISABILITY

- Children 6-9 years 7.5%
- Children 10-12 years 6.1%
- Children 13-16 years 4. %

Total 18%

As regards the Convention on the Rights of the Child we note what follows:

Article 13:

Palestinians are .not permitted to hold meetings, or to issue publications or magazines, or to express opinion through various mass-media.

Children's publications are issued by specialized Lebanese institutions, or through Lebanese NGOs. Discrimination against the Palestinian child includes preventing him from the membership of cultural and sports clubs, except in very narrow limits.

Article 14:

The freedom of belief and faith is guaranteed for all, but the absence of orientation and civil education through audio-visual media affects the values which the child acquires from his environment in a passive manner.

IV- GENERAL PRINCIPLES:

Due to considering the Palestinians as foreigners living on Lebanese territory, they are deprived

- regardless of being adult or child

- from civil, social and economic rights, noting that the relation should be ruled by the decisions League of Arab States , and the results of its meetings, which Lebanon recognizes, and ratified its protocol issued at Casa Blanca, endorsed by Arab Kings and Presidents on 17/9/1965.

Discrimination abolishes any benefit for Palestinian child even though there is equality towards the law and the duties in a number of family affairs.

The Right to Survive, is guaranteed for all by Lebanese Law. It prohibits abortion (article 539) and punishes for committing it, and prohibits selling children (article 540) and punishes the family for neglecting care of children, for forcing them into prostitution and illicit use of narcotic drugs (articles 504 and 513).

The law obliges the family of the child to register him immediately after birth at registration centers, and punishes for delay in doing so. There is a special department for Palestinian refugees which deals with marriage, divorce, new births, death cases. Every child gets a special card for Palestinian refugees, stating name, family and place of residence.

The Lebanese Public Security implements an administrative decree to cross out the sojourn of any Palestinian who gets the nationality of~ another country.

Crossing out names from registers leads to the break up of Palestinian families, especially when we know that the bearer of the new nationality is often forbidden to come back to Lebanon.

Recently, a new decree was issued. It obliges the Palestinian resident in Lebanon to get travel permission and return visa - if he intends to come back -prior to his leaving Lebanon.

Besides, he is issued with a special travel document for refugees, after complicated administrative procedures . . e.g. presenting documents which prove that the Palestinian lived in Lebanon before 1975. This is especially difficult for many families living in the camps that were demolished during the war.

Likewise, the child who loses his non-Palestinian father has no right to take the nationality of his mother as a Palestinian living in Lebanon. The mother faces difficulties in getting perpetual sojourn~for her children on Lebanese territory. In addition, there is a big number of children who have no personal credentials. This creates difficulties for everyday life, and forms a great violation of the basic human rights.

FAMILY LIFE:

There were many factors that have passive effects on the Palestinian child's right to live a private family life: the values and tradition attract him to the family, which has 4-6 children, in difficult housing conditions as regards the number of rooms, and the size of which does not exceed 2.5m?~. The extended family lives in such a house. This piles social and family problems... In addition, many families were disunited, and during the war they were forced to live in common shelters for several months, and sometimes for years. This led actually to the abolition of private and family life.

FAMILY ENVIRONMENT AND ALTERNATIVE CARE:

The Palestinian community in Lebanon observes the family as a basis to provide appropriate environment for the healthy development of the child. Families live in narrow and dense quarters (in the camps). Family relations are still important in social relations, but displacement and, economic pressures started to threaten family protection, to some extent.

The Palestinian child, like his Lebanese peer, is subject to the personal law in cases of custody, expenditure, and the mother's right to bring up her child, in accordance with the religious sect the family follows.

The child should not be separated from his (her) parents except under judicial writ, according to

conditions set by the law to the benefit of the child. (No accurate statistics on divorce, deaths, or abandonment are available).

The area in which 60% of Palestinians live is limited since 1948. Lebanese authorities prohibit widening these camps horizontally or perpendicularly. This is what makes them densely populated centers. The dark, wet houses are separated by narrow corridors which do not enjoy healthy infrastructure. This creates a big problem to provide drinking water, electricity and sewage. Those who live in an environment far from the camps were influenced by the new environment. This caused problems on psychological and social levels.

Prohibiting reconstruction of demolished camps led to the increase of density in the prevailing camps, especially after the displaced had to evacuate their living places before providing substitute places. This had great impact in losing psychological, social and educational stability.

Statistics of Lebanese Ministry of the Displaced and UNRWA rolls show that there are 6000 displaced Palestinian families, whose children suffer due to the change in living places, in the various districts: 25.6% in the North, 100% in Beirut; 51.5% in the South. No research was carried out in Bikaa' District.

Many families that migrated to the West; came back because they were unable to get sojourn there. This had a bad effect on their children, as they lost many years of education and got linguistic deformations, and many difficulties in getting along with their education.

EARLY MARRIAGE:

Due to lack of social awareness, and in order to get rid of the burden of bringing up of girls, and because of the theory of extending the family, early marriages often take place in the absence of mental and economic readiness for a successful marriage (house, income, matching age).

Due to misunderstanding religious conceptions, traditions, and fear of the girl losing her virginity, the girl is forced to marry at an early age. Migrant families impose restrictions on their daughters, in order to get married in an eastern environment, without their being qualified to play the role of housewives. This caused numerous passive effects on the child in health, emotional and mental fields. There are many cases of this sort in Nahr Al-Bared area.

ECONOMIC SITUATION AND WORK MARKET:

The economic situation affects the family environment seriously, because Palestinians have no right to practice more than 50 professions (some of which are medicine, engineering, architecture, pharmacy, legal practice, university education..etc.), according to decrees 12/1 and 13/1 issued on 11/1/1993. .-We like to note here that Palestinians are not allowed the right to work' before getting a work permit issued by Ministry of Work, which often rejects giving such permits, (Ministry of Work statistics show that 193 permits were issued in 1992,337 permits were~ issued in 1993, and these are very few compared to the number of refugees at work age, bearing in mind that the number of refugees registered in Lebanon is around 350,000). Workers, women in particular, work in arbitrary conditions, without any health or social insurance, etc. Their work is limited to temporary daily work. Due to men and women having to work overtime to make-up, many children spend most of the time on the streets without any substitute care. This leads to social problems which are aggravating continuously.

ALTERNATIVE CARE:

The war years and aftermath witnessed a relative enlargement in the role of NGOs. But the Lebanese law does not allow establishing private Palestinian societies and institutions. What are prevailing now are Lebanese institutions working in the Palestinian milieu. They are insufficient in number, and their effectiveness is weak, and most of them lack programs suitable

for Palestinian environment. The concept of Alternative Care is still narrow and limited, in spite of the urgent need to be spread and supported.

Some NGOs, with their very limited capacity, were able to set kindergartens and nurseries that cover 36% of the total number of camp children, in addition to some educational activities during summer, and other activities for the handicapped. 3 centers with the capacity to embody 50 children were established.

Likewise, some workshops were established to rehabilitate the girls vocationally. Rehabilitation courses were organized for workers in the social welfare field.

Lebanese governmental and nongovernmental institutions do not offer any services in the field of alternative care for Palestinian children. This weakened the role of NGOs working in Palestinian milieu. Their role deteriorated very much lately due to the strangling financial crisis they are going through⁴ This made them raise the nominal fees with which the families participate for nurseries and kindergartens and health care centres. This prevented many families from sending their children to these institutions.

The children who were badly affected by the lack of alternative care services are the children of martyrs. The number of their families is around 30,000 (thirty thousand), and the children of the disabled. The problem aggravated since the martyrs families institution cut its monthly aid, the Red Crescent Services diminished, and UNRWA's medical and educational services dropped a great deal. All this created many social problems.

BASIC HEALTH CARE:

The services of the Lebanese Ministry of Health are limited to Lebanese children only, consequently its hospitals and clinics do not deal with Palestinian children. This obliges their families to take them to private hospitals, which are very costly in Lebanon.

The problem aggravates when we know that the budget of the Health Division - UNRWA was cut by about U.S.\$500000, instead of increasing it to match the sharp rise in the cost of medication in a country that has just come out from a long war, which necessities doubling medical services.

PREVENTATIVE CARE FOR THE CHILD:

UNRWA shows great interest in this respect. There are specialized mother and child care centers, where the mother's condition is followed up until she gives birth, and she receives necessary medicine and care. After delivery the baby is looked after monthly, as regards vaccination, weight .etc. according to UNICEF and WHO programs.

The continuous decrease in UNRWA's budget resulted in stopping the distribution of milk and the daily lunch meal with which it used to supply school and kindergarten children.

Likewise, the deficiency in medicine at UNRWA clinics over exerts the families who are obliged to buy it, especially those suffering from thelassemia, diabetes, dialysis, cancer, corneal grafting. There are no centers to treat Palestinian children suffering from these diseases. Likewise the Lebanese charitable institutions in general, refrain from helping them.

Although there is a decree that obliges couples who wish to get married to have blood tests before marriage, it is not strictly implemented due to the high cost of this test.

The Palestinian mother is obliged to work in the early months of pregnancy, and her situation is not taken into consideration. Likewise, the decree on mother care is not implemented in the case of delivery, and its compensations. This affects the new born in a passive way.

There are no arrangements to treat disabled children, and 'no institutions to care for them, treat them and rehabilitate them. They spend most of the time on the streets. The 3 newly established centers in the camps, are incapable of solving the problem, and to offer necessary care. Primary statistics show that there are more than 2500 handicapped Palestinian children in Lebanon.

EDUCATIONAL RECREATIONAL& CULTURAL ACTIVITIES:

The wars which the Palestinian people suffered from, between 1975-1 991 had serious impacts that reflected on the educational institutions: the basis of the educational process fell back, the standard of education became low due to the demolishing of many schools, and the difficulty in getting to 5schools, besides forceful displacement, and deteriorating social and economic circumstances, and the disunity of families.

A research , in this respect, was carried out on a sample of 904 children in different districts:

RESULT

AREA NO. % % CASE

The North 355 39 25 suffered from depression.

Beirut 143 16 40 had nightmares.

20 suffered from depression.

The South 406 45 15 Suffered from depression.

This reflected in a passive way on the educational development of pupils in the elementary and preparatory stages.

The research showed that the percentage of dropouts in the elementary stage was 17%, with an increase of 1% for females. The dropouts in the preparatory stage was 31%.

In addition, the children exercised bad social habits, and showed aggressive behaviour. (75% in Beirut, 23% in the South).

Another research, for the same purpose, was carried out in Sidon area in 199 1-1994, on a sample of 246 children, 43 were repeated, so the total number amounts to 289, most of them were pupils in 3 UNRWA schools. The result was as follows:

CASE NO. %

Death of father,mother remarried 12 5

Death of motherfather remarried 17 7

Divorce 5 2

Homelessness 7 3

Delinquency 7 3

Did not enter school 44 18

Drop-outs and dismissed 15 6

Stammering 2 1

Fear of educating girls 7 3

Begging 17 7

Family encouraged stealing 5 2

Searching in garbage 7 3

Cleaning staircase 7 3

Worked in different occupations 91 37

Worked in construction workshops 2 1

Shepherd 2 1

What preceded shows the ineffectiveness of the educational process, and its failure to care for the children, in quality and quantity.

According to the text in the Convention on the Rights of the Child(Article 28 p."a") UNRWA offers free educational services for the elementary and preparatory stages, but it is not compulsory.

As for secondary education, neither UNRWA nor the Lebanese government provide it. This obliges parents to undertake the whole burden, and it is impossible for most of them.

Vocational education is provided by UNRWA for a limited number of students at Sibleen Vocational Training Center, in some vocations which do not fit with the students interests and the local work market. This leads some students to despair, and work in a field other than the vocation they studied. This contradicts with Article 28, para (b).

University education is not available except for those who have high economic income.

Palestinian students are not admitted to some colleges in the Lebanese University (Article 28, para "C").

Very little educational and vocational information and guidance which serve the educational process are available and accessible.(Article 28, para "d").

THE ROLE OF NGOs

These institutions endeavor with their limited capabilities which are diminishing continuously, to provide courses in vocational training according to market requirements.

Here under are the numbers of students who attended vocational training courses in four years, according to educational qualification:

- Elementary 566
- Preparatory 2628
- Illiterate 525
- Total 3719

UNRWA AND EDUCATIONAL SERVICES:

UNRWA provides education in the lower and higher elementary stages in crowded classes, where the number of pupils exceeds 50, in a small area. Here are some notes in this regard that have to be reviewed:

1. The number of pupils in a classroom exceeds 50.
2. The two-shifts system - this reduces learning hours.
3. There is no sound planning and programming ,and the child's needs are not taken into consideration.
4. The absence of recreational programs.
5. No sound educational guidance is available in most schools.
6. The implemented educational policy limits the right of the child to express himself freely.
7. The policy of automatic upgrading in the lower elementary stage.
8. The upgrading system in the higher elementary stage, and implementing the rule of dismissing the pupil who fails in the same class two consecutive years. The child goes on the streets unable to find an alternative. This contradicts with Article 28, para3.

ARTICLE 29:

9. The adopted procedure employs dictation and traditional education, in the absence of policy

and goals. This is why the standard of most pupils who quit school is very weak, and often they are semi-illiterate.

NGOs helped to improve the standard with their modest capabilities, e.g., one of them, arranged for private lessons to help pupils in scientific subjects and English language for about 1688 pupils, in two years.

ARTICLE 31:

10. UNRWA schools are unqualified to implement programs that allow the pupils to exercise physical and cultural activities. This means that they have unoccupied time which threatens of juvenile delinquency. Some NGOs try to fill this gap through cultural and sports clubs. No more than 20% of total children who form 43% of the Palestinian refugees in Lebanon, benefit from these clubs.

As for children under school age, NGOs undertake this mission with little economic capabilities. There are 17 institutions caring for 7000 children, and they try to secure appropriate atmosphere ~for the Palestinian child to develop naturally, emotionally, mentally and psychologically.'

RECOMMENDATIONS

1- Prepare appropriate grounds to ensure the articles set in the Convention on the Rights of the Child. This includes the development of a mechanism for supervising and follow-up of the Palestinian people's situations. This is possible through Human Rights committees, or committee for Citizen's Rights, by assigning a department to deal with the child's Rights, and receive complaints on mistreating him(her).

2- Great efforts are needed to be realised immediately to rehabilitate all specialized addresses working in the scope of caring for the rights of the Palestinian child in the fields of education, health .etc. This includes security men.

3- Adopting a plan of work to launch continuous campaigns to make people aware of the Rights of the child, which are almost missing, especially in schools, clinics, clubs, and other cultural centers.. .etc. Supporting the role of NC3Os appears to be very important, and it is necessary to provide them financially and to rehabilitate them, particularly in the absence of other referentials.

4- The rights of the Palestinian child are part of the basic rights of the Palestinian person. Therefore depriving Palestinian child in Lebanon of his (her) civil, social and economic rights forms the most dangerous obstacle that denies the child's right to enjoy the benefits which the World Convention on the Rights of the Child provides for.

5- It is important to develop the role of government institutions towards the rights of the Palestinian child, and not to limit them to the general vaccination campaigns in Lebanon. It should include all the rights and needs of the child to ensure proper development.

6- Urge international organizations: UNICEF, UNESCO, WHO .. .etc. to plan and develop special programs for Palestinian children in Lebanon, in view of the particular situation of the refugees, and the inadequate services of UNRWA which do not cover the minimum of their requirements.

7- Urge to implement the Convention as regards identity, and to facilitate registration procedures at Personal Law Department, to avoid any obstacle that affects the Palestinian child, due to any error, no matter where it comes from, and to amend the errors that accumulated during the Lebanese war.

B- To protect child's life in the wars, we see the necessity of launching an international

campaign to put pressure on Israel to

stop aggression on camps, villages and towns, to insure protection for both the Palestinian and Lebanese children.

-We see also the necessity of reconstructing the camps within the reconstruction of Lebanon. This enables the Palestinian family to find solutions to the problems of displacement, education, disability and other war aftermaths.

The child feels that he (she) has stability in place and mind.

9- It is a necessary to maintain conditions for rehabilitating adults who joined, or were affected by, war actions by holding follow-up classes, appropriate vocational training, and organizing their proper integration in the community . . . etc.

10- Endeavors should be carried to implement procedural law on Palestinian and Lebanese children equally, in compliance with the Convention for the Rights of the Child.

Children should not be imprisoned with adults and they should not be exposed to body or psychological torture. They should not be, kept without lawful detention. Efforts should be made to ensure special courts for delinquent juveniles.

11 - It is necessary to issue decrees to facilitate the cancellation of secluding the Palestinian child because of religious, educational differences, and to launch a campaign against discrimination, and to wide spread national and humanitarian values.

12 - Improve housing conditions, and try to provide with suitable housing, until the right to return to our home country is achieved.

In addition, awareness should be spread as regards improving conditions for successful marriage, in order to eliminate the passive aftermath of unsuccessful early marriage.

13 - Restrictions on woman's work should be cancelled. Measures should be taken to provide agreeable conditions to care for her children during her working hours.

The Palestinian family should benefit from social and health insurances.

Poverty, begging, and use of narcotic drugs should be combatted.

14- It is necessary to accomplish a program for family rehabilitation, and to develop available family health facilities in a manner that provides physical and psychological health for children, and develops interrelations to develop the child's personality and capabilities.

15- Plan an over all health program for the care of Palestinian mother and child in Lebanon, and bring together efforts of workers in the health field among Palestinians, with special stress on the care for handicapped, and supporting their care centers, and to spread awareness in the community to develop dealing with them, and help in rehabilitating them.

16- Arrange to solve the hospitalization and operations problems of Palestinian children.

17- Provide with basic elements for the care of environment and its infrastructure requirements: sewage system, waterways, collecting garbage, health educators etc.

18 - Provide with elements and programs to remedy the outcomes of child and juvenile delinquency, and rehabilitate them.

19 - It is important to provide a therapeutic center for thalassemia, diabetes, dialysis, cancer, corneal grafting, for camp children, and to launch a campaign to improve care for these cases.

The Coordination Forum Of The NGOs Working Among The Palestinian Community

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