Executive Summary

The Palestinians in Egypt:
An Investigation of Livelihoods and Coping Strategies

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Forced Migration Refugee Studies Program
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This research has been funded by the Canadian International Development and Research Centre (IDRC) and was conducted under the auspices of the American University of Cairo (AUC)- The Forced Migration Refugee Studies Programme (FMRS).

Cover photo: Jaziret Fadel, 7 KM from Abu Kbir- Sharqieh where Palestinians live separately in their own unserved village.

Photo by O. El Abed
Objectives

• This report provides an analysis of the livelihoods and coping strategies adopted by Palestinian exiles to adjust their life in Egypt. Two main factors have affected their adjustment — the resources that they have employed to “reconstruct” their lives in the host country and the policies of the host country itself vis-à-vis Palestinians.

• Studying the livelihoods of Palestinians in Egypt is significant because it approaches refugees as agents of social change rather than reducing them to mere victims of political circumstances. It examines how even the most vulnerable communities of refugees are able to mobilise resources and social networks in their struggles for survival. In studying livelihoods, this report also challenges popular images of Palestinians as wealthy members of Egyptian society by revealing the hardships faced by middle and lower class Palestinians, who form the majority in Egypt.

• This report aims to provide an understanding of the difficulties Palestinians encounter in Egypt in order to lay a foundation for future projects to benefit the community. These endeavours may include development projects such as income-generating schemes or educational initiatives. In addition, it is hoped that these findings will be applied to lobby for policies and programmes to better meet the socio-economic and legal needs of Palestinians residing in host countries.

Methodological Issues

• The research, which was undertaken over the course of two years, was conducted under the auspices of the American University in Cairo’s (AUC) Forced Migration and Refugee Studies Programme (FMRS) as part of a series of research projects on the livelihoods of various refugee populations in Egypt.

• The lack of reliable sources of information concerning the geographical distribution and social and demographic characteristics of refugees in Egypt was a major challenge. The Egyptian government does not release information on the numbers of Palestinians residing in various parts of the country nor does it release figures on the total number of Palestinians in the country.

• According to the Palestinian ambassador to Egypt, Palestinians living in Egypt for the end of the year 2000 were 53,000. He remarked that the Egyptian government said that there were 70,000 Palestinians in the country.¹ The United States Refugees Committee (USRC) report for the year 2002 states that there were 50,000 Palestinians in Egypt by the end of the 2001.²

• Unlike those who went to Jordan, Syria and Lebanon, relatively little has been written about the Palestinians who came to Egypt. Palestinians in Egypt numbered 13,000 in 1948 and 33,000 in 1969 (Dajani 1986: 41). Given the scarcity of

¹ Interview with the Palestinian ambassador to Egypt, H.E. Zuhdi Al-Qudreh in September 23, 2001.
² http://www.refugees.org/world/countryindex/egypt.cfm

Livelihood can be defined as the means, activities, entitlements and assets by which people make a living. Assets in this particular context are defined as natural and physical (e.g. land, common property resources, schools, health clinics), social (e.g. community, family, social networks), political (e.g. participation in civil society, association and community organisation), human (e.g. education, labour, health, skills) and economic and financial (e.g. jobs, savings, regular remittances or pension) assets.

Livelihood involves attempts to generate efficient income-earning opportunities for refugees and access to education, health care and other services, as well as civil and legal rights. Meanwhile, shocks and unexpected events may occur and serve to create vulnerability. Vulnerability varies over time and space, depending largely on the changing processes through which individuals, households and larger social groups fulfil their immediate subsistence needs and invest in the medium and long-term reproduction of their social system.
literature and demographic data, a qualitative case-study approach was employed in the research. Statistical sampling and quantitative data collection would have been impossible given the fact that the exact number of Palestinian refugees in Egypt is not known and the results of the census conducted by the Egyptian government in 1995 have not been made available.

• Various secondary resources, including archives, books, articles, laws and regulations, were also used as part of the research. Libraries at AUC, the Centre des Etudes et de Recherches de Moyen Orient Contemporain (CERMOC) in Amman, the Documentation Centre of the Refugee Studies Centre at Oxford University and the British Library in London were visited to collect material on Palestinians in Egypt. During these visits, few references pertaining to Palestinians in Egypt were found. In addition, interviews were held with various Palestinian and Egyptian officials, as well as scholars and community leaders.

• In Egypt, Palestinians are dispersed throughout urban and rural areas. No United Nations body serves them, and there are no camps. In order to locate and interview Palestinians, a snowball methodology was employed in several governorates: Cairo, Sharqieh, Qalubieh, Ariesh, Menya, Port Said and Ismaileh. Eighty visits to Palestinians households were made to the previously mentioned governorates. In three governorates, Cairo, Sharqieh and Qalubieh, 59 full interviews were conducted in households comprising 401 persons. Of these there were 215 men and 186 women.

• Face-to-face interviews were conducted through a series of open-ended questions structured to evoke descriptive qualitative data on the survival strategies of refugee households and to gain an understanding of the factors influencing refugees’ livelihoods. A questionnaire was used in order to determine the effects of changing state policies on the legal status, socio-economic situation, education, work, health, financial status and sources of income of Palestinians. The fact that those conducting the interviews were of Palestinian origin and that some spoke the Palestinian dialect facilitated the interviews.

Background

• The Palestinians studied in this report can be divided into two categories: those who fled to Egypt because of a well-founded fear of persecution, and those who were motivated by socio-economic factors. Those who came as a result of persecution include those who arrived in 1948 and are defined as “Palestinian refugees” as well as those who came as a result of events in 1967 and are defined as “displaced Palestinians”. The second category refers to those Palestinians who sought work and education opportunities in Egypt between 1954 and 1967. Due to the occupation of Palestinian territories in the West Bank and Gaza, many of these Palestinians were unable to return to Palestine and have remained in Egypt.

• Egypt’s geopolitical location makes it an important centre in the Middle East. Prior to the British mandate and the occupation

<table>
<thead>
<tr>
<th>Location</th>
<th>Interviewed Households</th>
<th>N</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Cairo</td>
<td>24</td>
<td>(40.7%)</td>
<td></td>
</tr>
<tr>
<td>2 Egypt Governorates</td>
<td>35</td>
<td>(59.3%)</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>59</td>
<td>(100%)</td>
<td></td>
</tr>
</tbody>
</table>

The United Nations Relief and Works Agency (UNRWA) has defined a “Palestine refugee” as “any person whose normal place of residence was Palestine during the period June 1, 1946 to May 15, 1948 and who lost both home and means of livelihood as a result of the 1948 conflict”. In the UN General Assembly Resolution 2252 (ES-V) of 4 July 1967, “displaced persons” were described as those “who have been unable to return to the Palestinian territories occupied by Israel since 1967.”
of Palestine, Palestinians were able to travel easily between major cities for commercial, cultural and political reasons. Previously existing contacts between Palestinians and Egyptians paved the way for a series of migrations from Palestine to Egypt.

- Upon the arrival of Palestinians in Egypt on April 24, 1948, the Egyptian Ministry of Social Affairs prepared emergency camps in Abbasieh area in Cairo, Mazarita in Port Said and Qantara Sharq. This later had main services for Palestinian refugees. The UN did not provide assistance to these refugees. After Egypt signed the Rhodes Armistice in 1949, Egypt assumed military and administrative rule of Gaza and many Palestinians were transferred from Egypt to Gaza. Only those Palestinians who had the means to live in Egypt or who had an Egyptian guarantor were permitted to stay.

- During Nasser’s era, Palestinians were not treated as “foreigners” in Egyptian legislation and regulations. Rather, they were treated on a par with nationals. Overall, their livelihoods and living conditions were best during this period. They were able to access more state services. Work was permitted and elementary school and university education were free. Most importantly, the laws pertaining to Palestinians did not apply the word “foreign” to them in administrative matters.

- However, political tensions during the late 1970s brought changes in Egypt’s treatment of Palestinians. Egypt’s signing of the peace accords with Israel at Camp David and the killing of Yusuf El-Sibai, the Egyptian minister of culture, by a Palestinian faction group led by Abu-Nidal both negatively affected Egypt’s relations with the Palestinians. Regulations and administrative policies were amended to treat Palestinians in Egypt as foreigners. In 1978, Egyptian President Anwar Sadat issued two administrative regulations, No 47 and No 48, that decreed that all regulations treating Palestinians as nationals should be annulled. Much of the basis for this gradual infringement of civil and legal rights lies in political factors.

- With limited rights, Palestinians in Egypt attempted to enhance their capabilities to survive, employing both tangible and intangible assets, including work activities, income resources, savings and long-term planning for the future. By giving an account of the ways in which these assets were utilised, this report aims to contribute to the expanding field of forced migration and to the theoretical understanding of the livelihoods of Palestinians in host countries.

Findings on Palestinian Livelihoods in Egypt

I. Social Networks

- Social capital refers to the set of resources utilised in family relations and other forms of social organisation in order to facilitate social development. These networks provide social, financial and political support. They fulfil immediate subsistence needs and allow for investment in medium and long-term needs to guard against vulnerability.

- Refugees and displaced people often build social links among themselves within host countries in order to adapt. However, the fieldwork suggests that a number of factors, including trust, stability and ideology, served to hinder the construction of a cohesive Palestinian com-

In 1962, President Nasser issued Law 66, permitting Palestinians to work in government and public sector jobs. Article 1 stipulated that, as an exception to Section 1 of Article 6 (Law 210 of 1951), concerning public sector employees, it is permitted for Palestinians to work in government and public sector jobs and to be treated as nationals of the Arab United Republic (Official Gazette, No 58, March 10, 1962).
munity in Egypt who share historical, geographical and socio-economic backgrounds. In a security-oriented state, people may be suspicious of one another and may limit social obligations or responsibilities. As a weak and dispersed minority, Palestinians were affected by political tensions between the PLO and the Egyptian government. On one hand, the government clamped down on Palestinian activities during periods of tension. On the other hand, the Egyptian public was heavily influenced by media campaigns projecting negative ideas about Palestinians. Both of these led to the tense conditions for Palestinians residing in Egypt. Eventually, Palestinians constructed social networks that included Egyptians. No isolated Palestinians community as such exists in Egypt.

- In countries which have camps served by UNRWA, Palestinians re-created their own traditional communities. The situation was different in Egypt. First, the recreation of traditional Palestinian communities was hindered chiefly by Egypt’s policy not to create long-term refugee camps served by any institution, which could have helped the Palestinians to gather around the service-provider, re-create their communities and establish themselves. Second, Egypt’s policies for dealing with refugee influxes entailed several transfers of refugees within Egypt and back to Palestine, causing ruptures within the community. The emergency camps created in 1948 in Abbasieh, Mazarita and Qantara were merely temporary and eventually camp inhabitants were forced to either be transferred to Gaza or, if they had the means, to self-settle in Egypt. Further divisions were made among the Palestinian community in 1967, especially in the temporary camps in Mudiriet Al-Tahir, such as that between military personnel and civilians. Those in the military left their families to join their military bases. Civilians settled according to their own personal connections and interests and the availability of employment.

- Often, the distribution of the Palestinian population in Egypt was not random. In many cases, social and professional networks affected employment and played a hand in decisions about where people settled. Many Palestinians depended on what Ben-Porath (in Coleman 1990) calls their “F connections” (family, friends, firms) to settle in cities.

- Many Palestinians fled the homeland in groups, arrived in Egypt in those same groups and started new lives together. Today, many still live together, for example many Palestinians from Majdel live together in Faqous and many Palestinians from Beir Al-Sabeh live in Jaziret Fadel and Qanayat. In some cases, the social system that had functioned in Palestine was recreated in these new areas. Even the mukhtars, or village heads, maintained their prestige and served as mediators with the local authorities in Egypt as they had in Palestine. Nonetheless, the majority of the Palestinians who arrived as individuals settled in larger Egyptian cities. Established networks and relations helped later groups of Palestinians to settle in 1956 and 1967.

- In the early 1980s, as a result of the social and economic vacuum among the dispersed Palestinians, Palestinian businessmen in Egypt felt the need to create their own associations to handle the social, cultural and economic affairs of the Palestinian community. Moves within this community to create social and economic institutions sparked fear among some Egyptians that such organisations could be co-opted for political purposes that could threaten Egypt’s state interests. In turn, the PLO feared that the creation of an organisation by the Palestinian bourgeoisie could threaten the legitimacy and power of the PLO itself. After a series of negotiations, Palestinian businessmen were eventually brought into the fold of the PLO when the Palestinian Red Crescent, a PLO-affiliated organisation, created a board of trustees called the Consultation Council of Palestinian Businessmen. Due to Egypt’s security concerns, the council was created under
the supervision of Egyptian authorities, which monitored and attended the activities and meetings of the board (Dajani 1986). All efforts were in vain and the association failed. It was revived once again in 1996 but nothing was reported to have been achieved by this affluent group.

- The Palestinian Charitable Association in the 1983 was established in order to provide services for Palestinians in Egypt. The association subsidises educational fees, assists Palestinians in need of health care and coordinates employment opportunities among Palestinians and Palestinian businessmen. The association aims to support economically vulnerable Palestinians in Egypt as means of expressing solidarity and community support. According to its director, Mr Ali Jowhar, most of those served by the association are women whose husbands abandoned them upon leaving for Gaza.3

- Palestinian organisations could only be created in Egypt with the approval of the state and the support of the Palestinian Liberation Organisation (PLO). The Palestinian Women’s Union and the Palestinian Labour Union, both affiliated with the PLO, were established in Cairo in 1963. The main goal was to organise Palestinians inside the PLO apparatus and to mobilise them to serve the Palestinian cause. The unions provide minimum administrative and sometimes social services that are again, not permitted to take place without security approval.

- The activism of Palestinian nationalist groups was a source of concern for the host state. In 1978, Egyptian authorities banned the General Union for Palestinian Students after the student group expressed its rejection to the Rogers’ Plan, which called for the implementation of UN Resolution 242, and Sadat’s peace agreement with Israel.

- Under Egypt’s emergency law, the right to association has been severely limited. The creation of social and cultural clubs and the participation in activities held especially for the minorities are not encouraged.

- In the absence of a strong community, the Palestinian family plays an important role in taking on the burdens of social institutions that were destroyed through displacement. The family has become a focal point for a support network consisting of other Palestinian and Egyptian families and acquaintances to address daily livelihood concerns, such as obtaining residence permits, travelling, employment, property ownership, enfranchisement and education.

- Traditional family structures have changed and become more heterogeneous as a means of survival in exile. Rather than constructing families strictly according to clan-based affiliations, as was traditionally done in Palestine, families in Egypt have expanded to include members of other communities. Many interviewees expressed difficulty in maintaining typical Palestinian marriage patterns along family or clan lines. Most importantly, marriage with members of the host community has been used as a strategy for upward mobility and increasing one’s legal rights.

- Some Palestinians were able to maintain their professions by utilising social networks. Others, however, were forced to begin new careers in skilled and unskilled work in urban areas. Relationships

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between Egyptians and Palestinians were strengthened through business partnerships and work relations. Policies in Egypt limited ownership rights for Palestinians. As a result, many Palestinians formed partnerships with Egyptians as a way of circumventing legal obstacles.

II. Employment

• Palestinians in Egypt, as elsewhere in exile, did not constitute a homogenous economic group. Their human, financial and social capital varied, as did their economic adaptation to the new environment. For many, migration imposed new patterns of work.

• Social networks played a crucial role both for those who were able to maintain their professions and for those who were forced to make a change. The process of flight affected different segments of the Palestinian community differently. Many of those whose employment skills deteriorated, being unable to find suitable jobs, took on new roles by enrolling as fighters in various armed forces or by serving with the Palestine Liberation Organisation (PLO). In Cairo, although various groups of Palestinians settled throughout the city, two main communities are most evident — those who were members of the PLO or its army, and businessmen.

• Earlier generations of Palestinians who arrived in Egypt were not permitted to work unless given special permission. In response to the worsening economic conditions of many Palestinians, in 1954 President Gamal Abdel-Nasser permitted Palestinians to work as teachers although he issued no official regulation formalising the policy. In 1962, President Abdel-Nasser issued Law No 66 permitting the recruitment of Arab Palestinians in government bodies and treating them on an equal footing with Egyptian nationals.

• Abdel-Nasser’s decision to treat Palestinians as nationals enabled the majority of Palestinians in Egypt who arrived in Cairo to create stable livelihood bases. This stability was reflected in their purchases of houses and cars, investments in the education of their children, and in creating businesses that provided them with income after retirement.

• Benefiting from the policies that treated them on a par with nationals, Palestinian businessmen were able to expand their operations in Egypt after the 1967 War. When the war erupted, most Gazans transferred their property and capital to Egypt.

• In 1978, following the signing of the peace agreement with Israel and the assassination of Yusuf El-Sibai, policies restricting the rights of Palestinians in Egypt greatly affected their economic stability. Section 1 of Article 16 (Law 48 of 1978) concerning employment in the public sector stipulated that the enrolment of Arab country nationals should be done on a reciprocal basis, meaning that the government of Egypt would hire citizens only of those countries that hired Egyptian nationals. Article 27 (Law 137 of 1981) stipulated that foreigners were not permitted to practice their professions unless they had a permit issued by the Ministry of Labour Force and Training and a residence permit. Adding to the difficulties for Palestinians, a quota was set for foreigners employed in the private sector. Article 4 (Law 25 of 1982) said that foreigners should not exceed 10 per cent of the total number of employees in any workplace in order to avoid competition between foreigners and the national labour force.

• In many cases, Palestinians work in the private sector illegally. It is common for small enterprises and small-scale businesses not to provide employees with social insurance. In addition, they tend to hire skilled and unskilled workers without contracts. If a worker does not have a
work permit, as is true in most cases, she or he may be easily exploited by the employer in terms of working hours, conditions and payment.

• When public and private sector employment opportunities decrease, new entrants to the urban labour force find alternate income-generating activities or work in small-scale individually-run enterprises. Palestinians with limited resources and some basic education represent a dynamic class of people engaged in various activities that, if not highly remunerative, at least provide for their own subsistence needs and those of their families.

• Palestinian households tap into multiple and creative resources to sustain themselves. These resources encompass far more than merely formal employment and include an array of formal and informal, legal and illegal, regular and irregular work activities. Interviews suggested that the income-generating strategies of lower-income earners are usually the most diverse.

• Very few interviewees in rural areas reported that they still work in agriculture. However, the few agricultural workers who were interviewed appeared to be the most vulnerable group of Palestinians. Agricultural work is limited and provides only irregular income because it is seasonal.

• A remarkably common profession among Palestinians in areas such as Qalubieh and Sharqieh is driving articulated trucks. Many inherited these professions from their fathers. Others became involved through social networks and today, own their own trucks. During the various political events which had its repercussions on employment for Palestinians, they were able to maintain their jobs. Political events did not affect their ability to obtain a driving licence or to get work permits as drivers.

III. Education

• The repercussions of political events in 1978 gravely affected the provision of education to Palestinians in Egypt. Although Palestinians had been treated as nationals and had the right to free education in public schools and universities, in 1978 they became categorised as “foreigners”. With changing regulations, educational services became possible only in private schools and ever since Palestinians are required to pay university fees in British sterling pounds.

• The change in treatment of Palestinian students prevented many from continuing their education. A ministerial decision in 1978 required Palestinian students to transfer from public to private schools. The decision excluded the children of employees of the Palestinian Liberation Army and the Administrative Office of the Governor of Gaza. Access by “foreigners” to certain faculties at university was also restricted. Palestinians were prohibited from studying medicine, pharmacology, economics, political science and mass communications. However, in 1995 an agreement between the Palestinian Authority (PA) and the Egyptian government in order to prepare Palestinians for state building in the West Bank and Gaza permitted Palestinians to study in the previously mentioned faculties. While from 1965-1978 Palestinian students at universities numbered 20,000, in 1985 the number of Palestinians enrolled in universities had dropped to 4,500 (Sarraj 1986, Yassin 1996) and those enrolled in public universities between the year 1997-1998 and 2000-2001 were 3,048.4

• Paying university fees is a major obstacle for many Palestinians. While some students initially received help from the Palestinian embassy to fund their university education, this assistance was not enough. Palestinians, who are expected to pay foreigners fees, are residents in Egypt, make their daily income from the

4 Press release, dated December 20, 2000, issued by the office of Minister of higher education concerning a decision from the Minister Dr Mufid Shihab to reduce public university fees to 50 percent for Palestinian students as a support for the Palestinian struggle during Al-Aqsa Intifada.
Egyptian labour market and undergo the same living conditions as nationals. Foreign fees range from £1,000-3,000 per academic year for humanities and scientific faculties. If a Palestinian student wishes to pursue a higher education, the tuition fees are doubled (Yassin quoting Qaddoussi’s article “Ghost of ignorance haunts 24,000 Palestinians in Egypt”, Al-Shaab, February 4, 1992).

• When applying to university, Palestinians are selected for admission through the Maktab Wafidin (general administration office for admitting immigrant students). The procedure takes a considerable amount of time and students are often not admitted until after the school term has begun. Many reported how this negatively affects their education performance in the first year.

• In order to avoid paying foreigners’ fees in sterling pounds, many students pay a small amount of fees in Egyptian pounds each year, as if they were Egyptians. By this, they risk being dismissed, if caught. Many interviewed students reported paying security guards in order gain entrance to the university and paying administrative staff to let them sit for the exams. Only after they graduate and work, they try to pay the foreigners’ fees or wait for a presidential or ministerial official pardon. Until this happens, they have no university certificate testifying their university education.

• While Palestinians are known throughout the world for being highly educated, attaining an education in Egypt has been extremely difficult for many due to the regulations requiring Palestinians to attend private schools and to pay foreigners’ fees. As a result of the political tensions and consequently the applied regulations, many Palestinians interviewed reported having dropped out school or not ever have attended school.

• An official letter dated October 30, 1993 from the Ministry of Higher Education’s Maktab Wafidin to the cultural attaché of the Palestinian embassy clarified the categories of Palestinians exempt from paying 90 per cent of school and university fees:
  - The children of government employees, including retirees;
  - The children of Egyptian widows and divorcees;
  - The children of mothers who passed their Egyptian high school exams;
  - Continuous residents of Egypt – those who were born in Egypt and have completed all levels of education in Egyptian schools;
  - Students in need of financial assistance who can submit papers verifying their [socio-economic] conditions, Bah’th Ijtima‘.

• Many of those exempted from paying 90 per cent of the fees were able to attend primary and secondary schools. University education was not assured, however, because fees must be paid in foreign currency. While the exemptions enabled some Palestinian students to remain in the education system, many continue to face significant obstacles in getting an education. Many students have had to leave school early because of the high costs of private schools. While getting an education is an important source of hope for many Palestinians, the right to an education has been denied due to political issues they were not even part of.

• The government of Egypt has shown sympathy and support for the Palestinian people during the Intifada that began in 2000. Aware of the previous roll-backs in rights to education, and considering the economic difficulties Palestinians have endured in the West Bank and Gaza Strip as well as the importance of the remittances that families in Egypt received from relatives in Gaza, the Ministry of Education, in 2000, exempted all Palestinian students from paying school fees at government schools. This has made a significant difference for those who are still enrolled in public schools. In particular, this decision benefits the children of Palestinians employed by the Egyptian government, PLO and the Administrative Office of the Governor of Gaza in addition to those children who attend public schools where no private schools exist in their area of residence.
IV. Health

- Interviews illustrated an overall satisfaction with the provision of health services in the areas where Palestinians live. For minor medical needs, many Palestinians reported that these services are affordable and adequate. One major complaint expressed by Palestinians in regards to health care concerned access to special medicine for chronic diseases, however. Having to buy unsubsidised medicine is a major obstacle for many. When a devastating illness strikes or a costly medical operation is needed, it can disrupt the entire household economy. Costs for the treatment of sudden illnesses and injuries, are, as many reported, often overcome by mobilising other livelihood assets.

- The Red Crescent hospital, Palestine Hospital, currently serves 20,000 beneficiaries within its medical insurance programme, including those working at PLO institutions and Palestinian unions, in addition to Palestinian Red Crescent employees. It also serves the families of martyrs and injured Palestinians, who are also covered and assisted by the Association of Martyrs and Injured Palestinians. The hospital also provides medical treatment to Palestinians working with the Palestinian Authority in Gaza and the West Bank. The lack of medical services in the Occupied Territories means that hospitals there must transfer patients to Palestine Hospital in Cairo.

- The hospital has a huge budget deficit. Budget cuts were made because of the National Palestinian Fund in 1995, which gave priority to the establishment of the centres in Gaza and in the West Bank. In addition, the money that was supposed to be deduced from the PLO employees’ salaries is not sent to the Red Crescent to pay for the services it provides to them. The same applies to the money expected to be sent by the Palestinian Authority for the medical services provided to Palestinians coming from Gaza.

V. Ownership

- Law No 15 of 1963 prevented foreigners from owning land. However, in Article 1, it considered Palestinians as an exception. “Until the Palestinian territories are liberated from the occupiers and Palestinians return to their homeland,” Palestinians were permitted to own land in Egypt.

- Law 81 of 1976 prevented foreigners from owning built properties and lands except in certain cases. In Article 2/B it stipulated that when the ministerial council grants permission, foreigners may own built property and land provided that only one property is owned for the purpose of private residence or private business, the surface of the property does not exceed 1,000 square metres (amended in Law 56 of 1988 to 3,000 square metres), the money for the property is paid in foreign currency, and as long as it is not owned in partnership with an Egyptian.

- Law 104 of 1985 prevented foreign persons and companies from owning agricultural properties or fertile or desert lands in Egypt. Article 1 stipulated that ownership of the property reverts to the state within five years of the enactment of the law.

- These ownership laws have served to undermine the economic power of Palestinians in Egypt. In many cases, Palestinians must register their ownership using Egyptian names or partners. False registration renders them vulnerable and limits their access to legal redress in the courts. Palestinians remained vulnerable in this way until 1997, when Law 8, the Guarantees and Investments Incentives Law, was ratified. Law 8 allows foreigners the right to own businesses on a larger scale by permitting partnerships to be created whereby 49 per cent of a property can be owned by a foreigner and 51 per cent by an Egyptian.
VI. Financial Resources

- Interviewees who had not completed their education often expressed the belief that self-employment and diversified jobs were their best options for survival.

- Palestinians who went to work in Gulf countries in the 1950s, 1960s and 1970s provided an important source of income for their families in Egypt by sending regular remittances to immediate and extended family members. Many felt obliged to send money in order to help family members continue their education. Palestinians in Egypt were also dependant on remittances sent to them by relatives who had joined the Palestinian Authority (PA) in Gaza after 1995. They previously depended on remittances sent to them from the Gulf. As the 1990-1991 Gulf War erupted, this flow of remittances halted. The Intifada in 2000 also affected the flow of remittances from the West Bank and Gaza to Palestinians in Egypt.

- Very few people interviewed said that they used the bank for saving money. Many other means are used. Property and gold are the most common means of saving money in both rural and urban areas. The use of cooperatives (gamieh) was also common. Each member of the cooperative regularly contributes a set amount. At the end of each month, members may take a turn to borrow money. The main purpose of these cooperatives is to pay for school and university fees as well as the fees needed for renewing residence permits.

- In relation to their struggle to survive, none of the interviewees expressed a preference for asking for money rather than earning it. With dignity as a central concept, seeking job opportunities takes priority over receiving charity.

- The limited opportunities of employment and provisions of basic services made Palestinians diversify their search for income possibilities. In many interviews, Palestinians stressed the need to acquire skills and to be productive in society. By having multiple resources of income, many people improved their living conditions and secured their livelihoods.

Women’s Roles in Livelihoods in Egypt

- Over time, women married to Palestinians have assumed increasingly vital roles in livelihoods and in making important decisions for the household. Many of the women who were interviewed as part of the research reported that they were engaged in petty trading (e.g. buying 10 lipsticks from a supermarket and selling them on the street) in Egyptian cities and between Gaza and Egypt or they worked in the informal or service sectors. Economic pressures have led many women to take on active roles in the labour market and to assume the role of breadwinner.

- Many of the women interviewed engaged in income-generating activities that adhere to traditional ideas about women’s roles that are prevalent in Palestinian society and that do not require employment outside of the household.

- In both rural and urban areas, women were often responsible for handling Egyptian bureaucratic and administrative matters. For example, in many cases, the wife would be the one to renew residence and Egyptian travel documents and would process the paperwork for children’s schools.

- Interviews revealed a tendency on the part of men who travelled for work, mainly PLO army soldiers and officers, to create families for themselves wherever they lived. In Egypt, for example, a Palestinian man might marry an Egyptian woman in order to obtain legal residence in the country. Multiple marriages were common among men as well as women. In some cases, men reported having multiple wives in various locations. Wives help to
create a stable home base. For women, husbands can play an important role as breadwinners. A divorced or widowed woman may feel inclined to marry again in order to ensure that her family is provided for.

- During the course of fieldwork, many women who had been abandoned or divorced when their husbands returned to Gaza were interviewed. For the most part, the husbands of these women had worked with the PLO and had been offered posts with the PA in Gaza. Upon arrival in Gaza, the husbands established a new beginning — a new career, a new family and a new home. Upon doing so, many severed relations with their families back in Egypt. In turn, women’s responsibilities doubled — they were charged with the tasks of running the house as well as earning an income outside of the home. Some women interviewees expressed frustration at the irresponsibility of their husbands, many of whom neglected their household duties in lieu of pursuing their own interests while women were left to take up the slack.

Palestine Liberation Organisation in Egypt

- The PLO’s role in Egypt was extremely significant until 1995, when the PA was established in Gaza and the West Bank. The PLO was not only a national body but also a major employer. Through several branches, including Fateh and the Palestinian Liberation Army - Ain Jalout forces, the PLO was the chief employer of Palestinians in Gaza and Egypt. Many Palestinians sought work with the PLO because it offered hope of liberation for Palestine. Most importantly, however, becoming a PLO employee represented a stable income, a pension, free education for children at public schools, scholarships for university education and subsidised health care at Palestine hospital. In addition, positions with the PLO were prestigious and powerful.

- The PLO played an important role in helping the families of its employees, e.g. The Association of Martyred and Injured and the Palestinian unions. The conditions of Palestinians who were dependent on the PLO for salaries, assistance, scholarships, and pensions deteriorated suddenly as the Palestinian National Authority was established in the West Bank and Gaza Strip and funding priority was diverted to the state building in 1995. Salaries were hence reduced and all aid programmes, scholarships and grants were halted.

- The PLO served as a socio-economic nucleus for those unions and associations affiliated with it. It was a base for the community of Palestinians who had worked with the organisation and its institutions. Several PLO bodies continue to provide services to Palestinians, including the Labour Union and the Women’s Union.

Legal Status of Palestinians in Egypt

- In 1960, during the period of unity between Egypt and Syria, Decree No 28 was issued providing for travel documents for Palestinians. Meanwhile, Egypt said that Palestinians residing on its territories would not lose their Palestinian nationality.

- On September 11, 1965 Egyptian Foreign Minister Mahmoud Riyad ratified the protocol on the treatment of Palestinians in Arab states in the Casablanca Protocol. The protocol called upon Arab governments to grant Palestinians residence permits, the right to work and the right to travel on a par with citizens while at the same time emphasising the importance of preserving Palestinian identity and maintaining the refugee status of Palestinians in host countries. At least on paper, the members of the Arab League expressed their solidarity with and sympathy for Palestinians. However, on a practical basis, the Casablanca Protocol was not
upheld and Arab state policies gradually denied the rights of Palestinians.

• Despite the fact that Palestinians in Egypt are refugees or displaced persons and cannot go back to Palestine due to the occupation, obtaining of Egyptian residence permits is conditioned upon whether or not the applicant can provide a reason for his or her stay in Egypt. One can prove this, for example, by providing a document showing that one is engaged in licensed work or education in Egypt, or that one is married to an Egyptian spouse or has an Egyptian partner in a business. Of course, not everyone can meet these conditions.

• The renewal periods of residence permits, which is payable, vary according to the year of arrival. Those who arrived in Egypt before and during the 1948 War, hold Category A and B. Their permits are usually renewable every 5 years. The numbered Palestinians who arrived during the 1956 Tripartite War hold Category C and they renew their residencies every 5 years. Palestinians who arrived during and after the 1967 War are under category D and H respectively. They renew their residencies every 3 years. For old people and those who prove continuous residency in Egypt for the period of ten consecutive years, their residencies may be renewal every 5-10 years according to the year of arrival.

• Since obtaining a work permit is not easy, especially if the Palestinian worker is not over the 10 per cent quota for the foreign labour, many of those engaged in illegal or unlicensed work said that they apply for a taxi driver’s license, which is easily obtained, or an agriculture labour licence, in order to have an official document proving a profession. Such official licence is usually necessary for applying for a residency permit. A letter from the Labour Union is also required for the residency permit.

• A major concern expressed by interviewees was the renewal of residence permits for Palestinian men reaching the age of 21. Many Palestinian men are vulnerable to deportation at the age of 18, when many are forced to drop out of school because they are unable to pay private school fees, or at the age of 21 if upon graduation from university they cannot find licensed work. As a result, many Palestinians are forced to reside illegally in Egypt until they can provide the authorities with an official reason for their stay. Many young Palestinian men and women marry Egyptians in order to legalise their residence in the country.
There are many restrictions on the freedom of movement of Palestinians residing in Egypt. Article 3 of the Casablanca Protocol states, “When their interests so require, Palestinians presently residing in the territory of (...) shall have the right to leave the territory of this state and return to it.” However, the situation for those leaving the country differs from what was stated and ratified in the protocol. Palestinians who leave Egypt can guarantee that their return will be permitted in one of two ways. They must either return to Egypt every six months or provide proof of work or educational enrolment abroad, for which a one-year return visa may be granted. Any delay in return beyond this date, however, results in denial of entry.

As a result of the political position of the PLO during the 1990-1991 Gulf War, many Palestinians who had Egyptian travel documents and who lived in Kuwait or elsewhere in the Gulf were denied re-entry to Egypt after the war began. Moreover, in 1995, the Libyan President’s decision to send Palestinians residing in Libya to Palestine created a problem of stranded Palestinians on the borders (Salloum Camp) who were denied re-entry to Egypt and denied return to Libya.

Being a stateless Palestinian and holding only an Egyptian travel document is problematic for many reasons. When arrested, Palestinians may be imprisoned or deported regardless of the grounds for their arrest. In some cases, state security officials require the family of the person arrested to apply for visas so that the person can be sent to a second country. In most cases, such applications are rejected.

Return to Palestine

In 1995, after a series of Palestinian-Israeli peace talks, the PA finally established a base in the West Bank and Gaza. The Palestinian embassy in Egypt called for Palestinian residents to submit applications for employment with the PA in Gaza. Many of the former PLO fighters were given priority to return. An estimated 45,000 Palestinians left for Gaza in 1995, according to the Palestinian ambassador to Egypt. Those who went to Gaza in 1995 included those who had been displaced after the 1967 War but did not include refugees who had been expelled from Palestine in 1948. For those displaced persons, going to Gaza meant attaining a long-time goal of return to the homeland. Return to Gaza and the West Bank was seen as a way of escaping the humiliating illegal status many of them endured in Egypt. It was also a way of seeking stability in employment and a sense of belonging that had been lacking during their sojourns in Egypt. Many young Palestinians who had encountered difficulties in finding jobs and pursuing higher education in Egypt were keen to live in Palestine.

For almost seven years (1993-2000), Gaza, with its newly returning Palestinians, underwent the initial phases of state building. Many young Palestinians coming from Egypt became part of the PLO-PA institutions in Gaza. Others undertook various livelihood activities through family networks. Family in Palestine was an essential means of facilitating return. Many of those interviewed in Egypt reported receiving remittances from their children in Gaza.

Palestinians who returned to Gaza were issued Palestinian identity cards and travel documents upon arrival. These documents were renewable every three years. Palestinian women whose parents lived in Gaza were able to apply for their children and husbands to join them through the family reunification programme. Other Palestinians were able to go to Gaza by applying for a visiting permit, or tasrieh.

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5 Interview with the Palestinian ambassador to Egypt, H.E Zuhdi Al-Qudreh in September 23, 2001.
6 Israeli conditions for the right of residence are: 1) that the person was registered in the Israeli census in the newly Occupied Territories in 1967, 2) that the person holds an Israeli identity card, and 3) that he or she has been visiting the territories regularly, at least every six years, since the census was conducted (Hovdenak 1997: 67). The family reunification programme was carried out through those who had Israeli identity cards that later became Palestinian IDs (and were approved by the Israeli authorities).
zyara, through family members living in Palestine. The visiting permit is usually valid for three months and is issued by the Israeli governor. While interviewing Palestinians in Egypt, they reported about many of their relatives or neighbours who have overstayed their visas after arrival in Gaza. Today, they cannot leave since they could be penalised or jailed by the Israeli authorities. In many cases, returning to Egypt would be impossible if their residence permits had expired after six months. The eruption of the Intifada in 2000 further delayed the processing of applications for IDs for the family reunification programme.

• Difficulties in finding employment and in creating bases for stable living conditions in addition to discriminatory legal treatment in Egypt strengthened aspirations to return and motivated many Palestinians to join family in Gaza and settle there.

Palestinian Identity

• The fieldwork reflected a wide degree of variation in relation to the question of Palestinian identity. A combination of legal, political and socio-economic factors are at play in relation to feelings of identification with the Palestinian community in Egypt and with Palestine itself. No clear patterns were identified among interviewees in relation to identity, since seeking one’s identity is a personal choice and involves many factors. In some cases, Palestinians tended to hide their identity and assimilate socially within Egyptian society. In other cases, Palestinians integrated while more strongly maintaining Palestinian cultural behaviour and maintaining the Palestinian dialect.

• In many households interviewed, when the father of the family was a PLO fighter, often rarely spending time with his family, or was busy working in the informal sector, memories of Palestine and knowledge about the history of the family were rarely communicated to the children.

• The Casablanca Protocol, in which Egypt and other Arab countries pledged to treat Palestinians on a par with nationals by ensuring them their basic rights while preserving Palestinian identity, was not upheld. Security arrests for Palestinians used to be held at heightened times of political tensions. Hence, revealing one’s Palestinian identity was not always prudent. In addition, the unstable legal status of Palestinians in Egypt (i.e. renewal of residency permit, having a work permit or a student card) often resulted in them concealing the fact that they were Palestinians. Even those who felt strongly about their identity often found ways to conceal the fact that they are Palestinians for various reasons. The majority of the Palestinians in Egypt speak with the Egyptian dialect. This assimilation was a survival strategy to be accepted within the host community.

Protection of Palestinians in International Law

• The degree to which the rights of Palestinians are respected in Arab host countries varies depending on the politics of the state and the conventions and protocols the host countries have ratified. While agreeing to shelter Palestinian refugees on a temporary basis, Arab states have been keen to place responsibility for the Palestinian refugee problem with the international community. Arab countries have reminded the international community of the moral necessity of keeping the Palestinian refugee issue on the political agenda and have reiterated the need for implementing international resolutions concerning this group of refugees.

• The United Nations Relief and Works Agency (UNRWA) was created to provide assistance to Palestinian refugees based on UN Resolution 302 (IV) of 1949. It provided relief and assistance to Palestinians who arrived in the countries where it operated, including Jordan,
Syria, Lebanon, the West Bank and Gaza.

Meanwhile, the United Nations Conciliation Commission for Palestine (UNCCP) was formed with the adoption of Resolution 194 (III) and was responsible for the direct protection of refugees’ rights and interests and to implement the durable solution of repatriation, resettlement and rehabilitation while at the same time ensuring a peaceful settlement. This dual mandate created a conflict of interests for the commissioner, making it difficult if not impossible to protect and promote the specific rights of refugees. The UNCCP hence failed to achieve its assigned tasks. The UNCCP devolved from being an agency charged with the “protection of the rights, property and interests of the refugees” by the 1952 to little more than a symbol of UN concern for the unresolved Arab-Israeli conflict and responsible to updating the Palestinian properties before the eruption of the 1948 War (Akram 2000).

• The 1951 Refugee Convention Relating to the Status of Refugees outlines the specific rights of refugees and prescribes certain standards of treatment for them. Article 1D of the convention excluded Palestinian refugees who are assisted by UNRWA regardless of the fact that only those who live within its areas of operation are assisted. It was only in September 2002 that the United Nations High Commissioner for Refugees (UNHCR) reinterpreted Article 1D in order to emphasise the fact that Palestinian refugees are ipso facto refugees and are to be protected by UNHCR if the assistance or protection of the other UN body ceases (UNHCR 2002). Thus, Palestinians not living in the countries where UNRWA operates fall under UNHCR’s protection mandate.

• Despite the fact that Egypt have acceded to the 1951 Convention in 1981. It had however “been reluctant to become bound by the 1951 Convention, apparently out of a perceived conflict between the status favoured by the Arab League and that of the Convention, and also because

The 1951 Convention Relating to the Status of Refugees defines refugees as follows: “owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return.”

Article 1D states that “this Convention shall not apply to persons who are at present receiving from organs or agencies of the United Nations other than that United Nations High Commissioner for Refugees (UNHCR) protection or assistance.

When such protection or assistance has ceased for any reason, without the position of such persons being definitively settled in accordance with the relevant resolutions adopted by the General Assembly of the United Nations, these persons shall ipso facto be entitled to the benefits of the this Convention.”

• Arab states were instrumental in bringing about the unique role of the United Nations vis-à-vis the Palestinian refugees and advocated the temporary exclusion from the mandate of UNHCR and from the 1951 Convention. The primary concern of Arab states was that Palestinian refugees should not be included in UNHCR’s mandate but that they should receive special United Nations attention. The UN recognised that it shouldered a large part of the responsibility for creating the refugee situation in the first place by way of General Assembly Resolution 181 of November 1947, which recommended the partition of Palestine (Akram 2001:173). This concern is based on political rather than legal considerations, however. The Arab states were afraid that, if included under the UNHCR mandate, the
Palestinian refugees “would become submerged [with other categories of refugees] and would be relegated to a position of minor importance” (Takkenberg 1998:66). In Arab League meetings, Arab states expressed fear that the Palestinian plight would not be adequately addressed if UNHCR’s durable solutions were applied to Palestinian refugees, such as resettlement to a third country or settlement in the first country of asylum.7 The Palestinian refugee problem, they argued, was to be resolved on the basis of a special formula of repatriation and compensation rather than the formula commonly accepted for refugees at the time, which was resettlement to a third state (Akram 2001:173).

• The two Conventions on Statelessness of 1954 and 1961 relate to Palestinians who are refugees and are stateless but who are unable to obtain the benefits of the 1951 Refugee Convention. The 1954 Convention Relating to the Status of Stateless Persons has a clause similar to the 1951 Refugee Convention stipulating it “shall not apply to persons who are at present receiving from organs or agencies of the United Nations other than the United High commissioner for Refugees protection or assistance so long as they are receiving such protection or assistance.” The limited applicability of this article to Palestinian refugees and the previously mentioned conventions has excluded Palestinians from enjoying all of their basic human rights. Worthy of note is that fact that the basic definition of “stateless persons” is now considered as customary international law and is therefore binding even on states that are not party to one or other of these conventions (Akram 2000).8

• In what may concern the regional protocols, two main principles have influenced the attitudes of the Arab League member states vis-à-vis Palestinian refugees. The first principle refers to their support and sympathy towards the Palestinian cause, on which basis they agreed in the Casablanca Protocol to grant Palestinian refugees residence and the right to work and travel on the same footing as citizens. The second principle refers to their vow to preserve Palestinian identity and maintain the refugee status of Palestinians in order to hold Israel responsible for the creation of the Palestinian refugee plight. However, the cases that the research team encountered while doing fieldwork and the legal measures taken by Egypt do not reflect Egypt’s respect for either of these two principles.

Recommendations

• The ambiguous legal status of Palestinians has affected their livelihoods in many ways. It has rendered their residence insecure and in many cases illegal. This has affected employment and education opportunities, as well as freedom of movement and association. As a signatory to many Human Rights agreements and covenants, Egypt should provide basic rights to Palestinians regardless of political circumstances.

• Egypt needs to uphold its commitment to supporting the Palestinian cause by abiding by the articles of the 1965 Casablanca Protocol and by treating Palestinians as nationals until they are able to return to Palestine.

To benefit from these two conventions, “a person must be determined to be stateless, that is a person who is not considered a national by any state under the operation of its law”

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7 The review of the preparatory work has also revealed that the international community did not decide to exclude Palestinian refugees from the general legal regime for the protection of refugees. Although the Arab states did not consider themselves primarily responsible for financing the relief effort, they were concerned that assistance or protection be extended to the Palestinian refugees irrespective of whether relief by the United Nations would continue to be provided. They, therefore, made it clear that the provision, included upon their request in the draft convention, was only to exclude Palestinian refugees temporarily (Takkenberg 1998: 66).

8 “Unfortunately, adherence to the 1954 Convention is far more limited than in respect of the 1951 Convention” (Takkenberg 1998: 186). As of September 29, 1994, according to Takkenberg, based on information provided by the Centre for Documentation on Refugees, only three member states of the Arab League are party to the Convention: Algeria, Libya and Tunisia. (Takkenberg 1998: 186).
Palestinians need to be permitted to use their Egyptian travel documents to move freely in accordance with the 1954 Convention Relating to the Status of Stateless Persons and the 1965 Arab League Casablanca Protocol. Re-entry to Egypt should be an inherent right for those holding Egyptian travel documents. The Egyptian government should also take steps to facilitate the renewal of residence permits for Palestinians.

Particularly given the September 2000 reinterpretation of Article 1D of the 1951 Convention Relating to the Status of Refugees, the UNHCR should provide international protection to Palestinians without jeopardising their right of return.

In case national protection fails, the need for international legal protection to oblige states to uphold certain principles with regards to their treatment of refugees. International protection would offer Palestinians the protection rights they currently lack (i.e. socio-economic and legal). This does not connote permanent settlement Tawteen that might compromise their right to repatriate to their places of origin.

The United Nations Office of High Commissioner for Human Rights (OHCHR), Amnesty International and other concerned human rights groups should act on behalf of Palestinians detained in Egyptian prisons and at Egyptian borders.

Donor countries have been generous funding the state-building projects in the West Bank and Gaza Strip ever since the Palestinian Authority was established. Part of the Palestinian state-building is the rehabilitation of the Palestinians in ghourba who envisage return to their homeland. There is a need for increased attention on the part of government bodies concerned with Palestinian refugee issues, including members of the Refugee Working Group (RWG) — Canada, the “gavel-holder” of the RWG, as well as Norway, Italy, France, Sweden, the US — and other donor countries involved in the rehabilitation of social and physical conditions of Palestinian refugees. Their help is needed in lobbying the Egyptian government and identifying ways to ameliorate their living conditions while not jeopardising the right of return. The rehabilitation of the Palestinians is necessary for the state-building of Palestine when they return and is essential for their livelihoods and survival strategies as long as they are outside their homeland.

As there has been an agreement between the Palestinian Authority and the Egyptian government on preparing students for the state-building process, by admitting them to all faculties at the universities, the need to coordinate closely with the Palestinian Authority to prepare Palestinians living in Egypt for the return. Funding could be requested from countries in support of the Palestinian state-to-be.

There is a need for coordination among Palestinian unions and associations as well as cooperation with Egyptian NGOs. It would be useful to establish an NGO consortium with branches throughout Egypt to fundraise for and develop projects for Palestinians. These projects could include literacy classes, vocational skills training, an employment network linking employers and job seekers, children’s activities, micro-credit programmes and income generating projects.
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For comments and further information e-mail: oroub@yahoo.com
or contact FMRS at Tel.: (+202) 797 6626