

PREVALENT DISCRIMINATORY POLICIES AND PRACTICES TOWARD SYRIAN REFUGEES IN LEBANON



REFUGEES=PARTNERS PROJECT

**SEPTEMBER
2020**

Refugees=Partners Project
The Lebanese Economic Association (LEA) Offices
Phone number: +9611748020
info@refugees-partners.org
www.refugees-partners.org

© COPYRIGHT BY
Refugees=Partners
2020
All Rights Reserved

Founded in 2018, Refugees=Partners is an independent research-based initiative implemented in coordination between the Lebanese Economic Association (LEA) and the Syrian Centre for Policy Research (SCPR), aims at countering negative sentiments against refugees in Lebanon and encouraging policy reforms that protect their rights.

ACKNOWLEDGEMENT

This paper was written by Cynthia Saghir with the support of the R=P Team. We would like to thank Dr. Jad Chaaban, Fatima Ibrahim, Elham Barjass and Ahmad Alashkar for their valuable comments and suggestions.

TABLE OF CONTENTS

INTRODUCTION.....	4
OVERVIEW OF DISCRIMINATORY POLICIES SINCE 2014	5
MUNICIPAL AND LOCAL POLICIES AND PRACTICES.....	7
MUNICIPAL CURFEWS AND ARBITRARY ARREST.....	8
MASS EVICTIONS AND DESTRUCTION OF SHELTERS.....	9
NATIONAL DISCRIMINATORY POLICIES AND DECISIONS.....	11
DISCRIMINATORY POLICIES IN ACCESSING THE LABOR MARKET.....	13
VIOLATIONS OF THE PRINCIPLE OF NON-REFOULEMENT.....	15
CONCLUSION.....	17

PREVALENT DISCRIMINATORY POLICIES AND PRACTICES TOWARD SYRIAN REFUGEES IN LEBANON

INTRODUCTION

Following their arrival in Lebanon in 2011, Syrian refugees have faced considerable challenges in their pursuit of dignified living and working conditions in Lebanon. A major obstacle for them is the Government of Lebanon's (GoL) austere and hostile policy of non-integration and non-resettlement towards refugees that has not only repeatedly violated their basic human rights, let alone their rights as protected persons, but made their legal and socio-economic status more precarious. Discriminatory policies towards Syrian refugees in Lebanon range from denial of their freedom of movement, association and assembly and the freedom from arbitrary arrest, to violations of their right to work and the principle of non-refoulement.

The institutional and societal discrimination that refugees and migrants face in Lebanon, as well as their deteriorating living conditions, have been exacerbated by several developments over the last few years. Various governmental institutions, such as the Ministry of Labor (MoL) and General Security Office (GSO), have implemented draconian measures that have limited the access of refugees to an official legal status as well as their access to the labor market, as a means to "combat illegal foreign labor."¹

Most recently, the discourse on Syrian refugees predominantly has revolved around their immediate return. Representatives of GoL have repeatedly reiterated that the repatriation of

refugees should not be contingent on a political solution in Syria.² On July 14, 2020, the Council of Ministers approved the Ministry of Social Affairs (MoSA)'s Policy Paper for the Return of Displaced Persons to Syria which prioritized the expedited return of displaced Syrians or resettlement in a third country as the only viable solution to remedy their alleged detrimental impact on the Lebanese economy, rejecting their integration in any form. While some refugees have returned to Syria, the Syrian territory is far from being free of conflict, and the GoL has yet to develop an effective, inclusive solution or any substantial reforms for Syrian refugees in Lebanon.

This paper updates the Refugees=Partner's 2019 report, "Lebanon's Discriminatory Policies Towards Syrian Refugees and Its Violation of National and International Law", and aims to shed light on the latest developments in Lebanon's discriminatory policies against Syrian refugees and their adherence to, or violation of, national and international law as well as regional agreements.

¹ Ministry of Labor (June 1 2019). "Launch of the Plan to Combat Illegal Foreign Labor". Available at: <https://www.labor.gov.lb/LatestNewsDetails.aspx?lang=ar&newsid=15182>

² Sewell, A. (June 30 2020). "Lebanese PM Diab calls for protection for Lebanon from Caesar Act sanctions on Syria". Available at: <https://english.alarabiya.net/en/News/middle-east/2020/06/30/Lebanese-PM-Diab-calls-for-protection-for-Lebanon-from-Caesar-Act-sanctions-on-Syria>.

OVERVIEW OF DISCRIMINATORY POLICIES SINCE 2014

Prior to 2014, Lebanon's approach to refugees had been one of "disassociation", where the GoL would officially refer to Syrian refugees fleeing conflict as displaced persons (*nazihoun*) instead of refugees (*lajjioun*).³ The "disassociation policy" featured the GoL's rejection of the integration of Syrian refugees as part of the principle of non-settlement that is enshrined in Paragraph I of the Preamble of the 1990 Lebanese Constitution. This policy is often used as a strategy to preserve the "delicate sectarian balance" and "reserve[s] [Lebanon's] sovereign right to determine their status according to Lebanese laws and regulations."⁴

This approach later manifested in an anti-refugee policy that first sought to reduce the number of Syrians entering Lebanon in 2014. The Council of Ministers adopted a comprehensive policy on Syrian displacement, with the explicit goal of decreasing the number of Syrians in Lebanon by reducing access to territory and encouraging returns to Syria.⁵ The policy was accompanied in December 2014 by the General Security Office (GSO)'s installation of a new set of entry requirements for Syrians and new rules for Syrian nationals already in Lebanon applying for and renewing residency permits.⁶

The implementation of these requirements took place in January 2015. Thereafter, to qualify for entry, a Syrian must either have a Lebanese sponsor, own real estate in Lebanon, or the purpose of their travel must fall under one of the following categories: tourism, business, study, transit, medical treatment, or visa application at a foreign embassy. Syrians applying for tourism must provide proof of a hotel reservation

and possession of at least \$1000 or proof of ownership of real estate in Lebanon.

In addition, the GSO's strict requirements for residency permits includes: paying a \$200 fee, a housing commitment (certified copies of a lease agreement or real estate deed), certified attestation from a mukhtar (village leader) that the landlord owns the property, and a valid ID or passport, as well as an entry slip and return card.⁷ The GSO distinguishes displaced Syrians that are registered with the UNHCR from those that are not. Refugees that are registered with the UNHCR must also provide a pledge not to work (signed in the presence of a notary public), UNHCR registration certificate, proof of their financial means such as a bank statement, documents showing money transfers or proof of support from the UN or other organizations, such as World Food Programme (WFP) prepaid cards.⁸

Later in 2017, the President of the Republic of Lebanon, Michel Aoun, officially requested assistance from the international community to establish "safe zones" in Syria for refugees to return to.⁹ In August 2018, President Aoun tasked the General Security Directorate Major Abbas Ibrahim with contacting the Syrian regime and to follow up on refugee returns to Syria. This prompted Major Ibrahim to call on the Syrian refugees to come to the directorate's offices to register to return.¹⁰ Since then, the GSO, as well as Hezbollah, have set up centers to both register and coordinate the return of refugees to different "safe" areas in Syria.¹¹ According to GSO estimates, it facilitated the voluntary return of over 170,000 Syrians between December 2017 and March

3 Janmyr, M. (2016). "Precarity in Exile: The Legal Status of Syrian Refugees in Lebanon," *Refugee Survey Quarterly* 25 (5). Available at: <https://academic.oup.com/rsq/article/35/4/58/2609281>, p. 61.

4 Government of Lebanon (September 21, 1990). *Lebanon: Constitution*, Available at: <http://www.refworld.org/docid/44a24a674.html>, Preamble; UN, & Government of Lebanon. (January 2019). *Lebanon Crisis Response Plan 2017-2020*. Available at: <https://reliefweb.int/report/lebanon/lebanon-crisis-response-plan-2017-2020-2019-update>, p. 4.

5 Council of Ministers of Lebanon (October 23 2014). *Policy on Syrian Displacement*. Available at: <http://legal-agenda.com/en/article.php?id=679&folder=articles&lang=en>.

6 Frangieh, G. (January 22 2015). "Lebanon Places Discriminatory Entry Restrictions on Syrians". Available at: <http://legal-agenda.com/en/article.php?id=679&folder=articles&lang=en>.

7 Human Rights Watch (February 14 2017). "Lebanon: New Refugee Policy a Step Forward". Available at: <https://www.hrw.org/news/2017/02/14/lebanon-new-refugee-policy-step-forward>.

8 *Ibid.*

9 Reuters (February 3 2017). "Lebanese president calls for safe zones in Syria for refugees". Available at: <https://www.reuters.com/article/us-mideast-crisis-syria-aoun/lebanese-president-calls-for-safe-zones-in-syria-for-refugees-idUSKBN1511WQ>.

10 The Daily Star (August 27 2018). "General Security head welcomes Syrian refugees return initiatives". Available at: <http://www.dailystar.com.lb/News/Lebanon-News/2018/Aug-27/461296-general-security-head-welcomes-syrian-refugees-return-initiatives.ashx>.

2019.¹² However, the GSO's numbers contradict the UNHCR's total number of 57,845 voluntary Syrian refugee returns since 2016.¹³

The Ministry of Labor (MoL) also prioritized the non-integration of Syrian refugees into the labor market, by implementing decisions that sought to reduce the number of Syrians competing within the Lebanese workforce. The MoL passed several decisions to reduce the employability of Syrians in Lebanon: limiting their field of employment to agriculture, construction and environment; tightening regulations on access to work permits; and enforcing the implementation of labor inspections (Decision No. 1/218, 1/41, 1/86, 1/84 and 1/151).¹⁴

Policies of this nature have had a detrimental impact on the vulnerability of Syrian refugee households. By 2019, 55% of Syrian refugees were living under extreme poverty, 78% of those above the age of 15 did not have legal residency, and 9 out of 10 Syrian refugee households were in debt.¹⁵ Additionally, institutionalized obstacles have driven Syrian refugees to seek employment in the informal labor market, where they are more prone to exploitation.¹⁶

The non-integration of refugees has also played a major role in the way host communities have reacted to the presence of Syrian refugees, subjugated Syrians to both discriminatory municipal curfews and mass evictions through forcible removal or demolition of shelters.¹⁷ According to Human Rights Watch, targeted curfews have only served to fuel community

tensions between Lebanese host communities and Syrians. These actions breed hostility and xenophobia towards Syrian refugees that often evolves into violence and can contribute to forced evictions and arbitrary arrest.¹⁸

Presently, Syrian refugees' households are living under even harsher curfews and circumstances that prevent them from accessing healthcare, and livelihoods (work, income, food, rent, shelter, etc). Their dire living conditions have deteriorated further as a result of Lebanon's economic crisis and the global outbreak of COVID-19 pandemic.¹⁹

11 IRIN (August 20 2018). "Pressure to return builds on Syrian refugees in Lebanon". Available at: <https://www.irinnews.org/news-feature/2018/08/20/return-syrian-refugees-lebanon-hezbollah>.

12 Daily Star (March 20 2019). "Over 170,000 Syrian refugees have returned from Lebanon since Dec. 2017". Available at: <http://www.dailystar.com.lb/News/Lebanon-News/2019/Mar-20/479287-172046-syrian-refugees-have-returned-from-lebanon-general-security.ashx>

13 UNHCR (May 30 2020). Syrian Regional Refugee Response: Durable Solutions. Available at: https://data2.unhcr.org/en/situations/syria_durable_solutions.

14 ILO (March 2017). Towards the right to work: A guidebook for designing innovative Public Employment Programmes – Background & Experience from the Syrian Refugee Crisis in Lebanon. Available at: https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_559668.pdf, p. 17; Ministry of Labor (January 31 2017). Decision 1/41 Relating to Work, Occupations and Crafts Restricted to Lebanese Nationals. Available at: <https://www.labor.gov.lb/Temp/Files/4bff7fea-2cfa-497f-bbec-f1c804fbbaf9.pdf>; Ministry of Labor (July 8 2019). Decision 1/86 to Instruct the Authorities to Inspect Institutions. Available at: <https://www.labor.gov.lb/Temp/Files/d2932a83-9022-4785-bd01-5b9069e10142.pdf>; Ministry of Labor (July 12 2019). Decision 1/84 to Collect the Annual Work Permit Fee from Syrian Nationals. Available at: <https://www.labor.gov.lb/Temp/Files/4d8a7b3e-2771-40ab-90fe-8a7ed6d70215.pdf>.

15 UNHCR, UNICEF, & WFP (2019). VASYR 2019: Vulnerability assessment of Syrian refugees in Lebanon. Available at: <https://reliefweb.int/report/lebanon/vasyr-2019-vulnerability-assessment-syrian-refugees-lebanon>, p. 10, 11, & 93.

16 Ajluni, S. & Kwarar, M. (2015). Towards Decent Work in Lebanon: Issues and Challenges in Light of the Syrian Refugee Crisis. Available at: https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_374826.pdf, p. 5.

17 Human Rights Watch (April 20 2018). "Our Homes Are Not for Strangers": Mass Evictions of Syrian Refugees by Lebanese Municipalities". Available at: https://www.hrw.org/report/2018/04/20/our-homes-are-not-strangers/mass-evictions-syrian-refugees-lebanese#_ftn7.

18 Human Rights Watch (October 3, 2014). "Lebanon: At Least 45 Local Curfews Imposed on Syrian Refugees". Available at: <https://www.hrw.org/news/2014/10/03/lebanon-least-45-local-curfews-imposed-syrian-refugees>.

19 Hardman, N., & Majzoub, A. (April 22, 2020). Lebanon's Refugee Restrictions Could Harm Everyone's Health: Fears Hamper Self-Reporting for Coronavirus. Available at: <https://www.hrw.org/news/2020/04/22/lebanons-refugee-restrictions-could-harm-everyones-health>.

MUNICIPAL AND LOCAL POLICIES AND PRACTICES

Table 1: Overview of Municipal and Local Discriminatory Policies and Actions by Legal Framework

Municipal and Local Policies and Practices

Policy	Legal Framework
Discriminatory Municipal Curfews (i.e. Freedom from Arbitrary Arrest, Freedom of Movement, and Freedom of Association and Assembly)	<p>National Law:</p> <ul style="list-style-type: none"> • Preamble and Article 13 of the 1990 Lebanese Constitution • GoL and Ministry of Interior Municipal Act Decree No. 118/1977, Article 74 (38). <p>International Law:</p> <ul style="list-style-type: none"> • Article(s) 8, 9, and 13 of the 1990 Lebanese Constitution • Article(s) 9, 13(1), 20(1) of the 1945 Universal Declaration of Human Rights (UDHR) • Article(s) 4(1), 9(1), 12(1), 21, 22(1) of the 1966 International Covenant on Civil and Political Rights (ICCPR).
Mass Evictions and Demolition of Shelters	<p>National Law:</p> <ul style="list-style-type: none"> • Preamble of the 1990 Lebanese Constitution • 2004 Lebanese Construction Law Act, No. 646 <p>International Law:</p> <ul style="list-style-type: none"> • Article 17 of the 1966 International Covenant of Civil and Political Rights (ICCPR) • Article 11 of the 1966 International Covenant of Economic, Social and Cultural Rights (ICESCR) • Article (s) 14 and 16 of the 1979 Convention on the Elimination of All Forms of Discrimination against Women. • Article 27 of the 1989 Convention on the Rights of the Child • Article 11.1 of the 1997 UN Committee on Economic, Social and Cultural Rights (CESCR)'s General Comment No. 7: The Right to Adequate Housing

Due to the lack of a national comprehensive policy on mitigating the refugee presence, Lebanese municipalities were indirectly tasked with the management of the steady influx of Syrian refugees, and de facto fell under the authority of municipalities. Certain municipalities have taken on a security approach to cope with the significant number of Syrian refugees by implementing unlawful and discriminatory policies and practices that violate national and international law (Table 1).²⁰

The approach adopted by certain municipalities has been facilitated by both the lack of oversight and accountability as well as the vilification of Syrian refugees in the mainstream media and by politicians. Media and political figures have played a prominent role in the dissemination of anti-refugee rhetoric that not only reinforces hostility, but also often features a divisive narrative that exploits individual security incidents such as Aarsal in 2014 and Mizyara in 2017. The response to these incidences led to the forced mass eviction of Syrian refugees and a portrayal of them as a threat to national security and economic growth.²¹

MUNICIPAL CURFEWS AND ARBITRARY ARREST

The legal authority or jurisdiction of Lebanese municipalities is outlined in Article 74 of the provisions of the Municipal Act, decree no. 118/1977, which states that the role of the municipality is in “ensuring security through the municipal police in its capacity... in the event of any crime or any disturbance of public security.”²² As such, the role of municipalities is to maintain public order, more specifically, public security and safety. In its administration of public order, Lebanese municipalities must also maintain a balance between public security and adherence to fundamental rights and liberties.²³

In 2014, Human Rights Watch (HRW) reported that at least 45 municipalities throughout the country implemented curfews explicitly directed at Syrians.²⁴ This number rose to 142 by 2017.²⁵ The curfews that were enforced consisted of displaying banners around villages and towns outlining a ban on Syrians from movement from evening to early morning, effectively establishing discriminatory curfews within their geographical boundaries and limiting Syrians’ movement under the guise of security measures. Municipal

authorities justified this practice by stating that it serves as a preventive measure to “security threats,” and as a reaction to “problems” such as: “an increase in the number of Syrian residents, the gathering of groups of Syrians, complaints that strangers were seen roaming in the streets, and the fighting incidents among Syrian refugees as well as acts of theft.”²⁶

In light of the COVID-19 pandemic, Human Rights Watch found that 21 municipalities had implemented additional curfews and restrictions that exclusively targeted Syrians to reduce the spread of the virus.²⁷ However, the additional restrictions on Syrian refugees coupled with Lebanon’s history of persecuting Syrian refugees has left refugees fearful of seeking medical services if they exhibit symptoms. This has led to a further deterioration of their living conditions.²⁸ Additionally, some municipalities have set curfews that confine refugees to their shelter and provide refugees with very short time-intervals to be able to access basic necessities, healthcare, medication and employment, exacerbating their food insecurity and socio-economic vulnerability.

²⁰ Janmyr (2016); *ibid* 3.

²¹ Human Rights Watch (September 1 2014). “Lebanon/IS: Soldier Beheading a War Crime if Confirmed”. Available at: <https://www.hrw.org/news/2014/09/01/lebanon/soldier-beheading-war-crime-if-confirmed>; Human Rights Watch (2018), *ibid* 18; Janmyr (2016); *ibid* 3.

²² Government of Lebanon. The Municipal Act Decree Law No.118. 1977. Available at: www.interior.gov.lb/oldmoim/moim/DOC/Municipal_Act_Eng.doc.

²³ Taslakian, P. (June 12 2016). “Curfews and human rights within the Syrian context in Lebanon”. Available at: <http://www.lb.undp.org/content/dam/lebanon/docs/Governance/Publications/PEACE%20BUILDING%2012th%20web%20p11.pdf>.

²⁴ Human Rights Watch (2014), *ibid* 18.

²⁵ El Helou, M. (2014). “Refugees under Curfew: The War of Lebanese Municipalities against the Poor”. Available at: <http://legal-agenda.com/en/article.php?id=3052>.

²⁷ Human Rights Watch (April 2 2020). “Lebanon: Refugees at Risk in COVID-19 Response”. Available at: <https://www.hrw.org/news/2020/04/02/lebanon-refugees-risk-covid-19-response>.

Human Rights Watch identified the Brital municipality in Baalbek and the Kfarhabou municipality in Northern Lebanon as municipalities that have implemented such harsh restrictions. The municipality of Brital allowed Syrians movement between 9 a.m. and 1 a.m. and the municipality of Kfarhabou implemented a curfew for Syrians refugees from 3 p.m. to 7 a.m. except in cases of emergency.²⁹ However, Human Rights Watch also documented instances in which Syrian refugees were faced with additional harassment, confiscation of documents, and even arbitrary arrest and potential deportation, even when making necessary trips to shops, pharmacies, ATMs, and healthcare facilities.

Curfews that exclusively target both Syrian nationals and refugees not only infringes their rights as protected persons, but also violates their basic human rights, such as freedom from

arbitrary arrest, and freedom of movement, association, and assembly that are mentioned in the Lebanese Constitution, Article(s) 8, 9 and 13, the Universal Declaration of Human Rights (UDHR) (Article(s) 9, 13(1) and Article 20(1)), as well as the International Covenant on Civil and Political Rights (ICCPR) (Article(s) 9(1), 12(1), 21, 22(1)), which Lebanon ratified in 1972.³⁰ Curfews that target both Syrian nationals and refugees violates Article 4(1) of the ICCPR that states: "In time of public emergency...State Parties...may take measures derogating from their obligations under the present Covenant...provided that such measures...do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin."³¹ The aforementioned obligations demonstrate that the enforcement of curfews that explicitly target Syrian refugees is considered "unlawful" under both national and international law.

MASS EVICTIONS AND DESTRUCTION OF SHELTERS

The mass evictions of Syrian refugees have also been a prevalent practice among landlords, Lebanese municipalities, and authorities. Human Rights Watch's assessment on eviction states that the Internal Security Forces (ISF) and the Lebanese Armed Forces (LAF) have cooperated with municipalities by enforcing evictions of refugee households since 2016.³² According to the UNHCR, approximately 14,600 Syrian households were evicted in 2017, and 11,300 were evicted in 2018, where 75% of evictions were enacted by landlords due to their inability to pay rent.³³ Human Rights Watch reported that at least 13 municipalities forcibly and illegally evicted a minimum of 3,664 Syrian refugees from their homes and expelled them from the

municipalities.³⁴ All these municipal evictions were performed without a court order, or any official legal directive, and were undertaken with only verbal orders.

UNHCR found that landlords undertook only 50% of evictions, while 29.2% of evictions were by municipal officials, 8.3% were conducted by the ISF and 4.2% by the LAF.³⁵ On July 1 2019, the LAF forcibly and violently demolished about 20 Syrian refugee shelters in Aarsal under an order by the Higher Defense Council, based on the 2004 Lebanese Construction Law Act. The order affected between 3,500 and 3,600 Syrian refugee households, including 15,000 children. Human Rights Watch notes that nongovernmental

²⁸ Fordam, A. (April 6 2020). "Syrian Refugees in Lebanon Fear Deportation For Seeking Coronavirus Test or Care". Available at: <https://www.npr.org/2020/04/06/825158835/syrian-refugees-fear-deportation-if-they-seek-coronavirus-testing-and-treatment>.

²⁹ Human Rights Watch (2020), *ibid* 27.

³⁰ Government of Lebanon (1990), *ibid* 4; United Nations (December 10 1945), Universal Declaration of Human Rights. Available at: <http://www.un.org/en/universal-declaration-human-rights/>; United Nations (December 16 1966). International Covenant on Civil and Political Rights. Available at: <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>.

³¹ United Nation (1966), *ibid* 30, Article 4(1).

³² Human Rights Watch (April 20 2018), *ibid* 17.

³³ UNHCR (March 11 2019). Lebanon: Inter-Agency – In Focus: Evictions of Syrian Refugees in Lebanon in 2018 – February 2019. Available at: <https://data2.unhcr.org/en/documents/details/68333>.

³⁴ Human Rights Watch (April 20 2018). "Lebanon: Mass Evictions of Syrian Refugees". Available at: [https://www.hrw.org/news/2018/04/20/lebanon-mass-evictions-syrian-refugees#:~:text=\(Beirut\)%20%E2%80%93%20At%20least%2013,said%20in%20a%20report%20released](https://www.hrw.org/news/2018/04/20/lebanon-mass-evictions-syrian-refugees#:~:text=(Beirut)%20%E2%80%93%20At%20least%2013,said%20in%20a%20report%20released).

³⁵ UNHCR (November 29 2019). Collective evictions and eviction notices, ActivityInfo report covering July – September 2019. Available at: <https://reliefweb.int/report/lebanon/collective-evictions-and-eviction-notice-activityinfo-report-covering-july-september>.

organizations in Lebanon that operate among refugees living in informal settlements that this law is hardly ever applied.³⁶ UNHCR also stated that, in 2019, 4% of Syrian refugee households in Lebanon were at risk of eviction.³⁷ Within the context of the COVID-19 pandemic and the deterioration of the Lebanese economy, Syrian refugee households are more economically vulnerable than ever before and have significantly reduced access to income and livelihoods, rendering their ability to pay rent near impossible. These factors have contributed to a substantial increase in the number of evicted Syrian refugees, with a noticeable surge in evictions in June of 2020, where the number of evictions rose from 58 households in April to 291 in June.³⁸ The UNHCR also found that most refugee evictions have occurred outside of the Lebanese legal framework that is protective of tenants, and without the due process considerations.³⁹

While there are certain legal considerations and proceedings in the process of evictions in national law, the methods employed by landlords, municipalities, the ISF, and LAF in their eviction of Syrian refugees in Lebanon have infringed on their rights enshrined under international, as well as national, law.⁴⁰

The obligations of states to refrain from, and protect against, the forced eviction of individuals is enshrined in various international instruments, several of which have been ratified by the GoL. The right of protection against eviction is embodied in Article 17 of the ICCPR, Article 11 of the ICESCR, Article 27 of the 1989 Convention of the Rights of the Child, and Articles 14 and 16 of the 1979 Convention on the Elimination of All Forms of Discrimination against Women.⁴¹ In addition, the UN Committee on Economic, Social, and Cultural Rights (CESCR)'s General notes on the right to adequate housing (Article 11.1) prohibits the forced eviction of any person, citing it to be a gross human rights violation, which guarantees

protection from forced eviction. By failing to provide a legitimate justification, the current wave of evictions is considered unlawful and prohibited under both national and international law.⁴² It is necessary to note that Paragraph B the Preamble of the Lebanese Constitution states: "Lebanon is [...] a founding active member of the United Nations Organization and abides by its covenants and by the Universal Declaration of Human Rights."

³⁶ Human Rights Watch (July 5 2019). "Lebanon: Syrian Refugee Shelters Demolished". Available at: <https://www.hrw.org/news/2019/07/05/lebanon-syrian-refugee-shelters-demolished>.

³⁷ UNHCR, UNICEF, & WFP (2019), *ibid* 15, p. 50.

³⁸ Inter-Agency Coordination – Lebanon (July 22 2020). Lebanon: Inter-Agency – In Focus: Rise in evictions due to increased economic vulnerability – July 2020. Available at: <https://data2.unhcr.org/en/documents/details/77872>.

³⁹ *Ibid*.

⁴⁰ Inter-Agency Coordination (May 10 2019). Lebanon: Inter-Agency – Protection – Protection Sector Guidance on Response to Evictions in Lebanon – 2018. Available at: <https://data2.unhcr.org/en/documents/details/69399>.

⁴¹ UNGA (November 20 1989). Convention on the Rights of the Child. Available at: <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>; UNGA (December 18 1979). Convention on the Elimination of All Forms of Discrimination against Women. Available at: <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx>.

⁴² UN Committee on Economic, Social and Cultural Rights (CESCR) (May 20 1997). General Comments No. 7: The right to adequate housing (Art. 11. 1): forced eviction. Available at: <http://www.refworld.org/docid/47a70799d.html>.

NATIONAL DISCRIMINATORY POLICIES AND DECISIONS

Table 2: Overview of National Discriminatory Policies by Legal Framework

National Policies and Decisions

Policy	Legal Framework
<p>Discriminatory Labor Laws</p> <p>Decision(s):</p> <ol style="list-style-type: none"> 1. Ministry of Labor (MoL) Decision 1/218 December 19, 2015 on restricting the occupation of Syrian to agriculture, construction, and environment (i.e. garbage and recycling). 2. MoL Decision 1/41 January 31, 2017 on rules regulating the occupation of Syrians in agriculture, construction, and environment (i.e. garbage and recycling). 3. MoL Decision 1/86 July 8, 2019 on the implementation of inspection by authorities in the workplace to combat illegal foreign labor. 4. MoL Decision 1/84 July 12, 2019 on the collection of the annual work permit fees from Syrian nationals. 5. MoL Decision 1/151 December 20, 2019 on the collection of the annual work permit fees from Syrian nationals upon settlement of their status. 	<p>National Law:</p> <ul style="list-style-type: none"> • Preamble of the 1990 Lebanese Constitution • 1946 Lebanese Labor Code • 1962 Presidential Decree No. 17561/64 on organizing employment of foreigners in Lebanon. <p>Bilateral Agreements:</p> <ul style="list-style-type: none"> • Article 2 of the 1993 Bilateral Agreement on the Regulation of Transport of Persons and Goods • Article(s) 4 and 5 of the 1994 Bilateral Agreement in the Field of Labor <p>International Law:</p> <ul style="list-style-type: none"> • Article(s) 1, 2, and 23(1) of the UDHR • Article 2 Part I, Article 6 (1,2) Part III of the 1966 International Covenant on Economic, Social and Cultural Rights (ICESCR).
<p>Discriminatory Entry Restrictions</p> <p>Policy(s):</p> <ol style="list-style-type: none"> 1. On October 23, 2014, Council of Ministers approved the "Policy Paper on Displaced Syrians". 2. The General Security Office (GSO) issued new requirements on entry and residency permits in December 2014 for Syrians. 	<p>National Law:</p> <ul style="list-style-type: none"> • Preamble of the 1990 Lebanese Constitution. • Article(s) 17, 26 and 31 of GoL's 1962 Law Regulating the Entry and Stay of Foreigners in Lebanon. <p>Bilateral Agreement:</p> <ul style="list-style-type: none"> • Article(s) 1(1) and 2(a) and Bilateral Agreement for Economic and Social Cooperation and Coordination
<p>Forced Return</p> <p>Decision(s):</p> <ol style="list-style-type: none"> 1. Lebanese Higher Defense Council issued Decision No. 50 /د/ع/م/س ج pertaining to the irregular entry of Syrian nationals in Lebanon on April 15, 2019. 2. On May 13, 2019, the General Director of the General Security issued Decision No. 43830/ع.م.ق to deport all Syrians who "irregularly entered" Lebanon after April 24, 2019. <p>Policy:</p> <ol style="list-style-type: none"> 1. The Council of Ministers approved the Ministry of Social Affairs (MoSA)'s "Policy Paper for the Return of Displaced Person to Syria" on July 14, 2020. 	<p>International Law:</p> <ul style="list-style-type: none"> • Article 13(1) of the UDHR. • Article 33(1) 1951 Convention Relating to the Status of Refugees and the 1967 Protocol • Article(s) 6, 7 and 12(1) of the ICCPR. • Article 3 of the 1987 UN Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment.

The rights of Syria refugees have also been impeded by national policies and decisions. Whether it concerns obtaining legal residency or work permits, Syrians face significant institutionalized challenges in improving their precarious legal status (Table 2). However, this was not always the case for Syrians in Lebanon.

Prior to January 2015, the legal entry and exit of Syrian nationals in Lebanon was governed by an “open border” policy based on a 1991 Fraternity, Cooperation and Coordination Treaty between the Republic of Lebanon and the Syrian Arab Republic (FCCT).⁴³ Syrians that entered an official border into Lebanon with a valid Syrian identity card or passport were given “an entry stamp” or “an entry coupon” that grants legal residency for an initial period of six months (for free), and could be renewed free of charge for an additional six months.⁴⁴

The 1991 agreement was one of many that were established to facilitate the flow of goods, persons and labor between Syria and Lebanon. Article 2 of the 1993 Agreement on the Regulation of Transport of Persons and Goods, an agreement that was a part of the FCCT, stipulates: “both contracting parties shall endeavor to facilitate the transport of persons and goods from, to and across their two countries.”⁴⁵ The treaties granted both Syrian nationals and Lebanese nationals freedom of movement, freedom of residency and the right to work in each other’s country reciprocally. In practice, once a Syrian national in Lebanon obtained a residency permit, they could live and work in Lebanon indefinitely.⁴⁶

DISCRIMINATORY POLICIES IN ACCESSING THE LABOR MARKET

The Ministry of Labor (MoL)’s practice of limiting Syrians’ access to the labor market began in February 2013 when it passed Decision No. 1/18 outlining professions reserved exclusively to Lebanese citizens. This move was reinforced by Decision No. 1/197 of December 2014 that explicitly limited all foreigner’s occupations.⁴⁷ In 2015, the MoL in Lebanon issued Decree No. 1/218 that restricted the field of occupation of Syrian nationals to agriculture, construction and environment (i.e. garbage and recycling).⁴⁸ On December 28 2017, the MoL issued Decision 1/41 was nearly identical to the decision issued in 2015, but included a provision regarding the procedure of issuance and renewal of work permits for foreign workers.⁴⁹ Following the issuance of both

decisions, the Lebanese General Directorate of General Security announced their campaign with the aim of closing down non-compliant shops owned or run by Syrian nationals.⁵⁰

The MoL also embarked on a second major campaign to “combat illegal foreign labor” by issuing Decision(s) No. 1/84 and No. 1/86 in July 2019, the former tightened regulations on access to work permits, and the latter enforced the implementation of labor inspections of illegal foreign labor and the ownership of shops. If a shop owner was Syrian and did not have the necessary documents, authorities were permitted to shut it down.⁵¹ In late 2019, the MoL issued Decision No. 1/151 that was nearly identical to

43 Janmyr (2016), *ibid* 3; Syrian Lebanese Higher Council (May 22, 1991). Fraternity, Cooperation and Coordination Treaty between the Republic of Lebanon and the Syrian Arab Republic. Available at: http://www.syrleb.org/SD08/msf/1507751474_.pdf.

44 Janmyr, M. (2016), *ibid* 3.

45 Syrian Lebanese Higher Council (September 16 1993). Bilateral Agreement on the Regulation of Transport of Persons and Goods between the Lebanese Republic and the Syrian Arab Republic. Available at: http://www.syrleb.org/SD08/msf/1507751797_.pdf, Article 2.

46 Lebanese Centre for Human Rights (December 18 2013). Syrian Workers in Lebanon: An Assessment of Their Rights and Reality. Available at: [http://www.rightsobserver.org/files/Report_Syrian_Workers__ENG_final_\(2\).pdf](http://www.rightsobserver.org/files/Report_Syrian_Workers__ENG_final_(2).pdf), p. 5.

47 ILO (March 2017). *Ibid* 14, p. 17.

48 *Ibid*.

49 Ministry of Labor (January 31 2017). Decision No. 1/41 Relating to Work, Occupations and Crafts Restricted to Lebanese Nationals. Available at: <https://www.labor.gov.lb/Temp/Files/4bff7fea-2cfa-497f-bbec-f1c804fbbaf9.pdf>.

50 Baladi, E. (December 7 2018). “Lebanon: The General Security Directorate Starts a Campaign to Close Down Syrian Non-Compliant Shops”. Available at: <https://english.enabbaladi.net/archives/2018/12/lebanon-the-general-security-directorate-starts-a-campaign-to-close-down-syrian-non-compliant-shops/>.

Decision No. 1/84, but reasoned that the turmoil and disorder in the labor market in Lebanon was primarily induced by the presence of the Syrian labor force.⁵²

Inspectors accompanied by security forces also proceeded with the MoL's campaign by cracking down on Syrians that were working without permits, as well as shop owners that employed Syrians without permits.⁵³ The implementation of the MoL's decisions, which explicitly target Syrians, violated several of their rights enshrined in Lebanon's national law as well as regional agreements between Lebanon and Syria and international law.

While the 1946 Lebanese Labor Code adopted the principle of preference for Lebanese nationals, it did not exclude non-Lebanese from working in certain fields. The national legal framework that guided the work of foreigners is Presidential Decree No. 17561.⁵⁴ Article 2 of the decree stipulates that a work permit is required whether or not the work is remunerated; Article 8 states that foreigners who possess expertise not found among Lebanese jobseekers can be employed in Lebanon; and under Article 9 of the decree, the MoL is granted the prerogative of issuing a list of professions reserved exclusively for Lebanese citizens. As such, neither the Lebanese Labor Code nor the Presidential Decree maintain the permissibility of issuing decisions or decrees that discriminatively target a population of a certain nationality, race, religion or origin.

Moreover, Article 4 of the 1994 Bilateral Agreement in the Field of Labor states: "Workers of each of the two States shall enjoy in the other State the same treatment, privileges, rights and

obligations according to the laws, regulations and directives applied in both states; the two Ministers of Labor in both countries shall be entrusted with pursuing their efforts in order to find the means likely to ensure workers' right in both states."⁵⁵

Article 5 of the same agreement calls for the establishment of a joint office for the respective Ministries of Labor in Lebanon and Syria, such that "this office shall be in charge of delivering a provisional work card for seasonal workers performing jobs in any of the two countries. As for the remaining categories of workers, they shall be given a card allowing them to obtain a work permit from the competent bodies in each of the two countries following the completion of the required documents in pursuance of their respective laws and regulations."⁵⁶

Paragraph B in the Preamble of the Lebanese Constitution states: "Lebanon is [...] a founding active member of the United Nations Organization and abides by its covenants and by the Universal Declaration of Human Rights." It also asserts: "the Government shall embody these principles in all fields and areas without exception." This is inclusive of Article 7 of the UDHR that states: "All are equal before the law and are entitled without any discrimination in violation to equal protection of law. All are entitled to equal protection against any discrimination in violation of this Declaration and against incitement to such discrimination."⁵⁷

Similarly, the International Covenant on Civil and Political Rights (ICCPR) also offers protection of foreign workers and stipulates: "All persons are equal before the law and are entitled without any discrimination to equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal

⁵¹ MoL (July 8 2019). Decision No. 1/86 Relating to the Implementation of Inspection by Authorities in the Work Place to Combat Illegal Foreign Labor. Available at: <https://www.labor.gov.lb/Temp/Files/d2932a83-9022-4785-bd01-5b9069e10142.pdf>; MoL (July 12 2019). Decision No. 1/84 Relating to the Collection of the Annual Work Permit Fees from Syrian Nationals. Available at: <https://www.labor.gov.lb/Temp/Files/4d8a7b3e-2771-40ab-90fe-8a7ed6d70215.pdf>.

⁵² MoL (December 20 2019). Decision No. 1/151 Relating to the Collection of the Annual Work Permit Fees from Syrian Nationals Upon Settlement of Their Status. Available at: <https://www.labor.gov.lb/Temp/Files/b54c4004-8175-4c86-bc48-caa613f52838.pdf>.

⁵³ Houssari, N. (July 11 2019). "Crackdown on thousand of Syrian refugees with illegal jobs in Lebanon". Available at: <https://www.arabnews.com/node/1523926/middle-east>.

⁵⁴ Government of Lebanon (September 23 1946). Lebanese Labour Code (amended in 1996). Available at: <https://www.ilo.org/dyn/natlex/docs/WEBTEXT/39255/64942/F93LBN01.htm#t1c6>.

⁵⁵ President of the Republic of Lebanon (July 18 1964). Decree 17561/64 on Organizing employment of foreigners in Lebanon. Available at: <http://www.lpd.gov.lb/DocumentFiles/%D8%AA%D9%86%D8%B8%D9%8A%D9%85%20%D8%B9%D9%85%D9%84%20%D8%A7%D9%84%D8%A7%D8%AC%D8%A7%D9%86%D8%A8-635996917532102897.pdf>

⁵⁶ Syrian Lebanese Higher Council (October 18 1994). Bilateral Agreement in the Field of Labor between the Lebanese Republic and the Syrian Arab Republic. Available at: http://syrlab.org/SD08/msf/1507751688_.pdf, Article 4.

⁵⁷ Ibid, Article 5.

⁵⁸ UNGA (December 10 1945). Universal Declaration of Human Rights. Available at: <http://www.un.org/en/universal-declaration-human-rights/>, Article 7.

protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”⁵⁹

The International Covenant of Economic, Social and Cultural Rights (ICESCR) reaffirms the prohibition of discrimination for State Parties.⁶⁰ In addition, Paragraph 30 of the UN Committee on Economic, Social and Cultural Rights (CESCR)’s General Comment No. 20 states that the

economic, social and cultural rights in the ICESCR “apply to everyone including non-nationals, such as refugees, asylum-seekers, stateless, persons, migrant workers and victims of international trafficking, regardless of legal status and documentation.”⁶¹ Within the context of the legal text outlined above, the discriminatory decisions that have hindered Syrians’ access to the labor market are not only untenable under international law but also infringe on their rights under national law and regional agreements.

VIOLATIONS OF THE PRINCIPLE OF NON-REFOULEMENT

The legal framework that guides the international protection of refugees is amended in the 1951 Convention Relating to the Status of Refugees, and its 1967 Protocol. The 1951 Convention stipulates the principle of “non-refoulement,” which prohibits the forcible return or expulsion of refugees to places where their lives and freedoms could be threatened, and also forbids the rejection of displaced persons that seek admission to safety at national borders under all circumstances.⁶²

The Government of Lebanon (GoL) has continually asserted its rejection of the integration of refugees and does not consider itself a country of asylum, but one of transit. In fact, the GoL’s stance on non-resettlement was affirmed in 2014 report on the Convention on the Elimination of All Forms of Discrimination Against Women, which stated: “Lebanon has not signed the Convention relating to the Status of Refugees (1951) and Lebanon is still considered a transit country not a destination country.”⁶³

Nevertheless, the principle of “non-refoulement” is considered a principle of customary international law that inter alia binds all states to compliance regardless of whether or not they sign the convention.⁶⁴

Though Lebanon has not ratified the 1951 Convention Regarding the Status of Refugees and 1967 Protocol, it has signed several other instruments that include the principle of non-refoulement. The principle of non-refoulement is enshrined in article 14 (1) of the Universal Declaration of Human Rights that states: “Everyone has the right to seek and enjoy in other countries asylum from persecution.” It is also included in Article 6 of the International Covenant of Civil and Political Rights, and article 3 of the 1987 UN Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment.

Lebanon’s obligation to adhere to the principle of refoulement is also reinforced by Paragraph B in

⁵⁹ UNGA (December 16 1966). International Covenant on Civil and Political Rights, 999 UNTS 171, (entry into force: 23 Mar. 1976). Available at: <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>, Article 26.

⁶⁰ UNGA (December 16 1966), International Covenant on Economic, Social and Cultural Rights, 993 UNTS 3, (entry into force: 3 Jan. 1976). For a list of ratification: https://tbinet.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=96&Lang=EN, Article 2(2).

⁶¹ UN Committee on Economic, Social and Cultural Rights (July 2 2009), General comment No. 20: Non-discrimination in economic, social and cultural rights (art. 2, para. 2, of the International Covenant on Economic, Social and Cultural Rights), 2 July 2009, E/C.12/GC/20. Available at: <https://www.refworld.org/docid/4a60961f2.html>, Para. 30.

⁶² UNHCR. Convention and Protocol Relating to the Status of Refugees. Available at: <https://cms.emergency.unhcr.org/documents/11982/55726Convention+relating+to+the+Status+of+Refugees+%28signed+28+July+1951%2C+entered+into+force+22+April+1954%29+189+UNTS+150+and+Protocol+relating+to+the+Status+of+Refugees+%28signed+31+January+1967%2C+entered+into+force+4+October+1967%29+606+UNTS+267/0bf3248a-cfa8-4a60-864d-65cdfce1d47>, Article 33, p. 30.

⁶³ United Nations (2014). CEDAW/C/LBN/4-5. Available at: <https://nclw.gov.lb/wp-content/uploads/2017/10/CEDAW-Fourth-and-Fifth-Periodic-Report-Lebanon.pdf>, para 266.

⁶⁴ UNHCR, *ibid* 63, p. 4.

the Preamble of the Lebanese Constitution that states: "Lebanon is [...] a founding active member of the United Nations Organization and abides by its covenants and by the Universal Declaration of Human Rights."

In addition, the entry and exit of Syrian in Lebanon had been guided by the bilateral agreements between Lebanon and Syria, and more specifically article 2(a) 1991 Agreement for Economic and Social Cooperation and Coordination "granting freedom of movement between both countries for Lebanese and Syrian citizens through the abolition of restriction and limiting such freedom."⁶⁵

The source of this immigration law is the 1962 Law Regulating the Entry and Stay of Foreigners in Lebanon and their Exit from the Country, which includes six articles relating to asylum. Article 26 of the 1962 Law states the following: "Every foreigner who is persecuted or sentenced for a political crime outside Lebanon, or whose life or liberty is threatened on account of political activity, may apply for asylum in Lebanon."⁶⁶ In addition, Article 31 of the Law provides for the "non-refoulement" of former political refugees, but stipulates "If a political refugee was to be deported [from Lebanon] he shouldn't be deported where his life or freedom are at risk."

However, even though calls for the return and the forcible return or the implementation of "voluntary repatriation" by the General Security of Syrian refugees back to Syria has been practiced ever since the arrival of Syrian refugees, it rose significantly in 2017 and 2018.⁶⁷

Recently, on April 15, 2019, the Higher Defense Council in Lebanon adopted decisions requesting security and military forces to take immediate

measures to stop the irregular entry of Syrian nationals into Lebanon, and authorized General Security to start forcibly returning Syrians that entered Lebanon irregularly after April 24.⁶⁸ However, Human Rights Watch (HRW) reported that the General Security forces are also forcibly returning refugees that entered Lebanon before April 24, demonstrating that General Security is indiscriminately deporting refugees without due process.⁶⁹ General Security said that it has deported 2731 Syrians that entered Lebanon irregularly between May 21 and August 28, 2019.⁷⁰

According to the Legal Agenda in its position paper on the Higher Defense Council's decision, the Council does not have the authority to issue deportation orders against foreigners, nor do the LAF and the ISF.⁷¹ Legal Agenda contends that Lebanese law restricts the authority from issuing deportation orders against foreigners who entered the country irregularly without a fair trial. Article 17 of the 1962 Entry and Exit Law stipulates the General Director of the General Security (GDGS) has the authority to issue deportation orders against a foreigner if their presence poses a threat to public safety and security. However, the clause cannot be applied en masse to a group of foreigners for minor contraventions, such as entering the country irregularly.

On July 14, 2020, the Council of Ministers approved the Ministry of Social Affairs' (MoSA) Policy Paper for the Return of Displaced Persons to Syria. The paper's proposals are based on the premise that the immediate return of displaced Syrians will provide relief to the already deteriorating Lebanese economy, and that displaced persons are a threat to Lebanon's principle of non-resettlement.

⁶⁵ Syrian Lebanese Higher Council (September 16, 1993). Bilateral Agreement for Economic and Social Cooperation and Coordination between the Lebanese Republic and the Syrian Arab Republic. Available at: http://www.syrieb.org/SD08/msf/1507751474_.pdf.

⁶⁶ Government of Lebanon (July 10 1962). Loi du 1962 réglementant l'entrée et le séjour des étrangers au Liban ainsi que leur sortie de ce pays. Available at: <http://www.refworld.org/docid/3ae6b4f30.html>.

⁶⁷ Khawaja B. (July 2018). "Refugee Rights in Lebanon Not Up for Debate: Lebanon Cannot force returns without contravening international law". Available at: <https://www.hrw.org/news/2018/07/04/refugee-rights-lebanon-not-debate>.

⁶⁸ Higher Defense Council (April 15 2019), Decision No. 50 // م/س ج اعدا/ ; General Director of the General Security (May 13 2019) Decision No. 43830/ ع.م.ق.

⁶⁹ Human Rights Watch (May 24 2019). Lebanon: Syrians Summarily Deported from Airport. Available at: <https://www.hrw.org/news/2019/05/24/lebanon-syrians-summarily-deported-airport>.

⁷⁰ Human Rights Watch (September 9 2019). Syrians Deported by Lebanon Arrested at Home: New Policy Forcibly Thousands, No Due Process. Available at: <https://www.hrw.org/news/2019/09/02/syrians-deported-lebanon-arrested-home>.

⁷¹ Legal Agenda (2019). Position Paper: On the decision to summarily deport Syrian nationals who entered Lebanon irregularly. Available at: <https://www.legal-agenda.com/uploads/Position%20Paper%20on%20the%20decision%20to%20summarily%20deport%20Syrian%20nationals%20who%20entered%20Lebanon%20irregularly.pdf>.

The GoL's strategies for the return of Syrian refugees is dependent on the assertion that Syrian territory is, in fact, secure enough for return and that the regime is unconditionally welcoming displaced Syrians. However, the Syrian territory is far from being void of conflict, and does not meet the UNHCR's 2018 Protection Threshold and Parameters for Refugee Return to Syria.⁷² In addition, of the 88% of surveyed Syrian refugees in Lebanon that expressed their desire to return to Syria, only 4% are considering returning within the next 6 months to 5 years. The volatile security situation in Syria was the leading reason affecting refugees' decision not to return, followed by the lack of shelter and work opportunities.⁷³

⁷² UNHCR (February 2018). Comprehensive Protection and Solutions Strategy: Protection Threshold and Parameters for Refugee Return to Syria. Available at: <https://data2.unhcr.org/en/documents/details/63223>.

⁷³ UNHCR (January 2018). A Longing to go home, in safety and dignity: Intentions and Perceptions of Syrian Refugees in Lebanon About Their Future. Available at: <https://data2.unhcr.org/en/documents/download/63310>.

CONCLUSION

The GoL's approach to the influx of Syrian refugees has been one of dissociation, non-integration, and non-adherence to national and international law as well as regional agreements, and has had a detrimental impact on the livelihoods and living conditions of an already vulnerable population. Lebanon has reiterated its non-commitment to the 1951 Convention Relating to the Status of Refugees and the principle of non-settlement that is featured in Paragraph I the Preamble of its Constitution. However, as this paper argues, the denial of their right to the status of protected persons is not only untenable under international law, but also under Lebanon's laws. The precarious legal and socio-economic status of Syrians in Lebanon has also facilitated their exploitation in the labor market and their social and institutionalized marginalization.

In addition, discriminatory policies and practices that explicitly target Syrians at the municipal level (from curfews to mass eviction) or at the national level (from denial of entry, forcible return and restrictions from the labor market) are frequently implemented simultaneously, and often through violent means. In fact, this paper argues that the punitive, discriminatory, and unlawful methods that the Lebanese government, authorities, and municipalities have used to deal with the influx of Syrian refugees could be seen as part of a larger strategy to create an unwelcoming and unbearable environment for Syrian refugees as a means of forcibly returning them to Syria.

REFERENCES

- Ajluni, S. & Kawar, M. (2015). Towards Decent Work in Lebanon: Issues and Challenges in Light of the Syrian Refugee Crisis. Available at: https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_374826.pdf.
- Baladi, E. (December 7 2018). "Lebanon: The General Security Directorate Starts a Campaign to Close Down Syrian Non-Compliant Shops". Available at: <https://english.enabbaladi.net/archives/2018/12/lebanon-the-general-security-directorate-starts-a-campaign-to-close-down-syrian-non-compliant-shops/>.
- Council of Ministers of Lebanon (October 23 2014). Policy Paper on Syrian Displacement. Available at: <http://legal-agenda.com/en/article.php?id=679&folder=articles&lang=en>.
- Council of Ministers & Ministry of Social Affairs (July 14 2020). Policy Paper for the Return of Displaced Person to Syria.
- El Helou, M. (2014). "Refugees under Curfew: The War of Lebanese Municipalities against the Poor". Available at: <http://legal-agenda.com/en/article.php?id=3052>.
- Fordam, A. (April 6 2020). "Syrian Refugees in Lebanon Fear Deportation For Seeking Coronavirus Test or Care". Available at: <https://www.npr.org/2020/04/06/825158835/syrian-refugees-fear-deportation-if-they-seek-coronavirus-testing-and-treatment>.
- Frangieh, G. (January 22 2015). "Lebanon Places Discriminatory Entry Restrictions on Syrians". Available at: <http://legal-agenda.com/en/article.php?id=679&folder=articles&lang=en>.
- General Director of the General Security (May 13 2019) Decision No. 43830/ ع.م.ق.
- Government of Lebanon (September 23 1946). Lebanese Labour Code (amended in 1996). Available at: <https://www.ilo.org/dyn/natlex/docs/WEBTEXT/39255/64942/F93LBN01.htm#t1c6>.
- Government of Lebanon (July 10 1962). Loi du 1962 réglemantant l'entrée et le séjour des étrangers au Liban ainsi que leur sortie de ce pays. Available at: <http://www.refworld.org/docid/3ae6b4f30.html>.
- Government of Lebanon. The Municipal Act Decree Law No.118. 1977. Available at: www.interior.gov.lb/oldmoim/moim/DOC/Municipal_Act_Eng.doc.
- Government of Lebanon (September 21, 1990). Lebanon Constitution, Available at: <http://www.refworld.org/docid/44a24a674.html>.
- Hardman, N., & Majzoub, A. (April 22 2020). Lebanon's Refugee Restrictions Could Harm Everyone's Health: Fears Hamper Self-Reporting for Coronavirus. Available at: <https://www.hrw.org/news/2020/04/22/lebanons-refugee-restrictions-could-harm-everyones-health>.
- Higher Defense Council (April 15, 2019), Decision No. 50 / م.س ج ا ع / دا.
- Houssari, N. (July 11 2019). "Crackdown on thousand of Syrian refugees with illegal jobs in Lebanon". Available at: <https://www.arabnews.com/node/1523926/middle-east>.
- Human Rights Watch (September 1 2014). "Lebanon/IS: Soldier Beheading a War Crime if Confirmed". Available at: <https://www.hrw.org/news/2014/09/01/lebanon/soldier-beheading-war-crime-if-confirmed>
- Human Rights Watch (October 3, 2014). "Lebanon: At Least 45 Local Curfews Imposed on Syrian Refugees". Available at: <https://www.hrw.org/news/2014/10/03/lebanon-least-45-local-curfews-imposed-syrian-refugees>.

- Human Rights Watch (February 14 2017). "Lebanon: New Refugee Policy a Step Forward". Available at: <https://www.hrw.org/news/2017/02/14/lebanon-new-refugee-policy-step-forward>.
- Human Rights Watch (April 20 2018). "Our Homes Are Not for Strangers": Mass Evictions of Syrian Refugees by Lebanese Municipalities". Available at: https://www.hrw.org/report/2018/04/20/our-homes-are-not-strangers/mass-evictions-syrian-refugees-lebanese#_ftn7.
- Human Rights Watch (May 24 2019). Lebanon: Syrians Summarily Deported from Airport. Available at: <https://www.hrw.org/news/2019/05/24/lebanon-syrians-summarily-deported-airport>.
- Human Rights Watch (July 5 2019). "Lebanon: Syrian Refugee Shelters Demolished". Available at: <https://www.hrw.org/news/2019/07/05/lebanon-syrian-refugee-shelters-demolished>.
- Human Rights Watch (September 9 2019). Syrians Deported by Lebanon Arrested at Home: New Policy Forcibly Thousands, No Due Process. Available at: <https://www.hrw.org/news/2019/09/02/syrians-deported-lebanon-arrested-home>.
- Human Rights Watch (April 2 2020). "Lebanon: Refugees at Risk in COVID-19 Response". Available at: <https://www.hrw.org/news/2020/04/02/lebanon-refugees-risk-covid-19-response>.
- ILO (March 2017). Towards the right to work: A guidebook for designing innovative Public Employment Programmes – Background & Experience from the Syrian Refugee Crisis in Lebanon. Available at: https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_559668.pdf.
- Inter-Agency Coordination (May 10 2019). Lebanon: Inter-Agency – Protection – Protection Sector Guidance on Response to Evictions in Lebanon – 2018. Available at: <https://data2.unhcr.org/en/documents/details/69399>.
- Inter-Agency Coordination – Lebanon (July 22 2020). Lebanon: Inter-Agency – In Focus: Rise in evictions due to increased economic vulnerability – July 2020. Available at: <https://data2.unhcr.org/en/documents/details/77872>.
- IRIN (August 20 2018). "Pressure to return builds on Syrian refugees in Lebanon". Available at: <https://www.irinnews.org/news-feature/2018/08/20/return-syrian-refugees-lebanon-hezbollah>.
- Janmyr, M. (2016). "Precarity in Exile: The Legal Status of Syrian Refugees in Lebanon," Refugee Survey Quarterly 25 (5). Available at: <https://academic.oup.com/rsq/article/35/4/58/2609281>.
- Khawaja B. (July 2018). "Refugee Rights in Lebanon Not Up for Debate: Lebanon Cannot force returns without contravening international law". Available at: <https://www.hrw.org/news/2018/07/04/refugee-rights-lebanon-not-debate>.
- Lebanese Centre for Human Rights (December 18 2013). Syrian Workers in Lebanon: An Assessment of Their Rights and Reality. Available at: [http://www.rightsobserver.org/files/Report_Syrian_Workers__ENG_final_\(2\).pdf](http://www.rightsobserver.org/files/Report_Syrian_Workers__ENG_final_(2).pdf).
- Legal Agenda (June 24 2019). Position Paper: On the decision to summarily deport Syrian nationals who entered Lebanon irregularly. Available at: <https://www.legal-agenda.com/en/article.php?id=5684>.
- Ministry of Labor (January 31 2017). Decision 1/41 Relating to Work, Occupations and Crafts Restricted to Lebanese Nationals. Available at: <https://www.labor.gov.lb/Temp/Files/4bff7fea-2cfa-497f-bbec-f1c804fbbaf9.pdf>.
- Ministry of Labor (June 1 2019). "Launch of the Plan to Combat Illegal Foreign Labor". Available at: <https://www.labor.gov.lb/LatestNewsDetails.aspx?lang=ar&newsid=15182>

Ministry of Labor (July 8 2019). Decision 1/86 to Instruct the Authorities to Inspect Institutions. Available at: <https://www.labor.gov.lb/Temp/Files/d2932a83-9022-4785-bd01-5b9069e10142.pdf>.

Ministry of Labor (July 12 2019). Decision 1/84 to Collect the Annual Work Permit Fee from Syrian Nationals. Available at: <https://www.labor.gov.lb/Temp/Files/4d8a7b3e-2771-40ab-90fe-8a7ed6d70215.pdf>.

MoL (December 20 2019). Decision No. 1/151 Relating to the Collection of the Annual Work Permit Fees from Syrian Nationals Upon Settlement of Their Status. Available at: <https://www.labor.gov.lb/Temp/Files/b54c4004-8175-4c86-bc48-caa613f52838.pdf>.

Mourad, L. (March 2017). "Inaction as Policy-Making: Understanding Lebanon's Early Response to the Refugee Influx," Refugee and Migration Movements in the Middle East. Available at: https://pomeps.org/wp-content/uploads/2017/03/POMEPS_Studies_25_Refugees_Web.pdf.

President of the Republic of Lebanon (July 18 1964). Decree 17561/64 on Organizing employment of foreigners in Lebanon. Available at: <http://www.lpdg.gov.lb/DocumentFiles/%D8%AA%D9%86%D8%B8%D9%8A%D9%85%20%D8%B9%D9%85%D9%84%20%D8%A7%D9%84%D8%A7%D8%AC%D8%A7%D9%86%D8%A8-635996917532102897.pdf>.

Reuters (February 3 2017). "Lebanese president calls for safe zones in Syria for refugees". Available at: <https://www.reuters.com/article/us-mideast-crisis-syria-aoun/lebanese-president-calls-for-safe-zones-in-syria-for-refugees-idUSKBN15I1WQ>.

Sewell, A. (June 30 2020). "Lebanese PM Diab calls for protection for Lebanon from Caesar Act sanctions on Syria". Available at: <https://english.alarabiya.net/en/News/middle-east/2020/06/30/Lebanese-PM-Diab-calls-for-protection-for-Lebanon-from-Caesar-Act-sanctions-on-Syria>.

Syrian Lebanese Higher Council (May 22 1991). Fraternity, Cooperation and Coordination Treaty between the Republic of Lebanon and the Syrian Arab Republic. Available at: http://www.syrleb.org/SD08/msf/1507751797_.pdf.

Syrian Lebanese Higher Council (September 16 1993). Bilateral Agreement for Economic and Social Cooperation and Coordination between the Lebanese Republic and the Syrian Arab Republic. Available at: http://www.syrleb.org/SD08/msf/1507751474_.pdf.

Syrian Lebanese Higher Council (September 16 1993). Bilateral Agreement on the Regulation of Transport of Persons and Goods between the Lebanese Republic and the Syrian Arab Republic. Available at: http://syrleb.org/SD08/msf/1507751521_.pdf.

Syrian Lebanese Higher Council (October 18 1994). Bilateral Agreement in the Field of Labor between the Lebanese Republic and the Syrian Arab Republic. Available at: http://syrleb.org/SD08/msf/1507751688_.pdf.

Taslakian, P. (June 12 2016). "Curfews and human rights within the Syrian context in Lebanon". Available at: <http://www.lb.undp.org/content/dam/lebanon/docs/Governance/Publications/PEACE%20BUILDING%2012th%20web%20p11.pdf>.

The Daily Star (August 27 2018). "General Security head welcomes Syrian refugees return initiatives". Available at: <http://www.dailystar.com.lb/News/Lebanon-News/2018/Aug-27/461296-general-security-head-welcomes-syrian-refugees-return-initiatives.ashx>.

The Daily Star (March 20 2019). "Over 170,000 Syrian refugees have returned from Lebanon since Dec. 2017". Available at: <http://www.dailystar.com.lb/News/Lebanon-News/2019/Mar-20/479287-172046-syrian-refugees-have-returned-from-lebanon-general-security.ashx>

UN, & Government of Lebanon. (January 2019). Lebanon Crisis Response Plan 2017-2020. Available at: <https://reliefweb.int/report/lebanon/lebanon-crisis-response-plan-2017-2020-2019-update>.

United Nations (December 10 1945). Universal Declaration of Human Rights. Available at: <http://www.un.org/en/universal-declaration-human-rights/>.

United Nations (December 16 1966). International Covenant on Civil and Political Rights. Available at: <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>.

United Nations (December 16 1966), International Covenant on Economic, Social and Cultural Rights. Available at: <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>.

UN Committee on Economic, Social and Cultural Rights (CESCR) (May 20 1997). General Comments No. 7: The right to adequate housing (Art. 11. 1): forced eviction. Available at: <http://www.refworld.org/docid/47a70799d.html>.

UN Committee on Economic, Social and Cultural Rights (July 2 2009), General comment No. 20: Non-discrimination in economic, social and cultural rights (art. 2, para. 2, of the International Covenant on Economic, Social and Cultural Rights), 2 July 2009, E/C.12/GC/20. Available at: <https://www.refworld.org/docid/4a60961f2.html>.

United Nations (December 18 1979). Convention on the Elimination of All Forms of Discrimination against Women. Available at: <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx>.

United Nations (November 20 1989). Convention on the Rights of the Child. Available at: <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>.

United Nations (2014). CEDAW/C/LBN/4-5. Available at: <https://nclw.gov.lb/wp-content/uploads/2017/10/CEDAW-Fourth-and-Fifth-Periodic-Report-Lebanon.pdf>.

UNHCR. Convention and Protocol Relating to the Status of Refugees Available at: <https://cms.emergency.unhcr.org/documents/11982/55726+Convention+relating+to+the+Status+of+Refugees+%28signed+28+July+1951%2C+entered+into+force+22+April+1954%29+189+UNTS+150+and+Protocol+relating+to+the+Status+of+Refugees+%28signed+31+January+1967%2C+entered+into+force+4+October+1967%29+606+UNTS+267/0bf3248a-cfa8-4a60-864d-65cdfce1d47>.

UNHCR (February 2018). Comprehensive Protection and Solutions Strategy: Protection Threshold and Parameters for Refugee Return to Syria. Available at: <https://data2.unhcr.org/en/documents/details/63223>.

UNHCR (January 2018). A Longing to go home, in safety and dignity: Intentions and Perceptions of Syrian Refugees in Lebanon About Their Future. Available at: <https://data2.unhcr.org/en/documents/download/63310>.

UNHCR (March 11 2019). Lebanon: Inter-Agency – In Focus: Evictions of Syrian Refugees in Lebanon in 2018 – February 2019. Available at: <https://data2.unhcr.org/en/documents/details/68333>.

UNHCR (November 29 2019). Collective evictions and eviction notices, ActivityInfo report covering July – September 2019. Available at: <https://reliefweb.int/report/lebanon/collective-evictions-and-eviction-notices-activityinfo-report-covering-july-september>.

UNHCR (May 30 2020). Syrian Regional Refugee Response: Durable Solutions. Available at: https://data2.unhcr.org/en/situations/syria_durable_solutions.


UNHCR, UNICEF, & WFP (2019). VASYR 2019: Vulnerability assessment of Syrian refugees in Lebanon. Available at: <https://reliefweb.int/report/lebanon/vasyr-2019-vulnerability-assessment-syrian-refugees-lebanon>

اللاجئون شركاء
REFUGEES = PARTNERS
in humanity, in responsibility

<https://refugees-partners.org/>

 /refugeespartners

 /refugeespartners

 /refugeespartner

 /refugeespartners