



Refugees = Partners Third Workshop

“Promoting Syrian Refugees’ Access to Legal Status in Lebanon”

Beirut, Lebanon
November 30, 2021

Final Statement

Refugees = Partners (R=P) launched its third and final workshop in a series of workshops titled "Towards a New Policy to Promote Syrian Refugees' Access to a Legal Status in Lebanon", on Tuesday, November 30, 2021.

These workshops aimed at addressing the legal and structural challenges that prevent refugees from obtaining legal status in Lebanon. This was primarily done by assessing the impact recent developments have had on vulnerable communities, particularly the Syrian refugee community. The workshops also studied innovative approaches that could help establish a comprehensive socio-economic framework.

During this workshop, the participants discussed the legal and political framework governing the residence and work of Syrian refugees in Lebanon—particularly the impacts the Lebanese-Syrian bilateral relations have on their situation—and the outcomes of the refugees’ participation in the Lebanese labor market. Lastly, the attendees reviewed the way successive governments deal with the aforementioned issues.

The participants discussed the role of General Security in managing and regulating the entry and exit of Syrians to and from Lebanon and their residence in Lebanon, while reviewing the laws and regulations related to these procedures. Furthermore, the attendees highlighted the reasons that prevent refugees from obtaining legal residency—especially in the case of Palestinian refugees—and the most prominent legal problems they face: civil registration documents, such as birth and marriage certificate.

Moreover, the attendees reviewed the most prominent recommendations—extracted from several studies conducted in previous years—covering methods of improving legal residencies and economic opportunities for Syrian refugees in Lebanon.

Changes in the laws regulating the presence of Syrians in Lebanon

Chaden Al-Daif, researcher and legal consultant, reviewed the history of the Lebanese-Syrian bilateral relations, focusing on residence, work, and the extent to which the political crises between the two countries impacted the movement of Syrians to and from Lebanon. She pointed out the laws and legislation that Lebanon relies on while dealing with refugees. Al-Daif also emphasized that the preferential provisions for Syrian nationals, that facilitated their work before the Syrian crisis, have turned into discriminatory provisions that have, instead, ‘tightened the noose’ around their necks after the waves of asylum.

On assessing the situation of refugees in Lebanon, Al-Daif displayed the published statistics on working conditions in the three sectors (agriculture, construction and cleaning) occupied by the Syrian labor force, and the fact that they are deprived of any social protection, health coverage, or a stable income.

According to Al-Daif, due to competition with Syrian workers in Lebanon, Lebanese low-skilled workers have faced 60% reduction in the average wage—and a significant change in the composition of the Lebanese market—which has helped increase the income of skilled workers, real estate owners, and Lebanese employers.

Al-Daif continues by outlining the challenges that must be addressed regarding the prospects of Syrians working in Lebanon, mainly the deteriorating economic situation, which has made integration between the Lebanese and the Syrians difficult. This trend emerged since the living standards between the poor and lower-middle Lebanese groups and that of the non-Lebanese have begun to converge. Al-Daif further discussed the challenges refugees face concerning legal papers, since most Syrians today work in the informal labor sector, which does not contribute to the development of the Lebanese economy—so long as refugees do not have access to education.

The researcher finally recommended the necessity of seriously considering the economic form and development projects that provide decent jobs for Syrians without threatening the Lebanese, and the importance of providing legal papers to refugees—which can help avoid the negative effect living and/or working without legal papers can have on their lives, and on Lebanon itself.

The inability to register births and marriages increases the number of unregistered persons, which will create challenges related to their return to their country and thus the possibility of using them as leverage. This is all in addition to the difficulty refugees face in accessing education, and the fact that they are forced to work low-income jobs under poor working conditions.

Previous Studies and Recommendations

Dima Mahdi, a research consultant, spoke about ways of improving the Syrian refugees' legal residency and economic opportunities. She put forward several recommendations that she drew from previous studies and research in which she participated, most notably:

- Improving transparency and accountability regarding the obligations of the Lebanese state towards the International Community on the issue of refugees, as the facts indicate that there is no political will to implement these commitments.
- Adopting a legal and national framework to deal with refugees and abandoning the “no-policy” policy, which has led to administrative chaos among the relevant institutions, made the refugees' living conditions harder, and deprived refugees of their basic rights to work and mobility.
- Respecting the principle of non-refoulement, by not deporting refugees or forcing them to return to Syria.
- Developing and implement a comprehensive national strategy for economic development, aimed at creating job opportunities and economic growth for all, which would also improve labor standards in Lebanon enough to meet the requirements of the regional and global market.
- Taking advantage of the refugees' presence and addressing wasted potential. Ignoring refugees' diverse skills results in a loss of productivity that affects the economic growth as a whole.
- Targeting or assisting the people who are affected the most by the refugees' presence, such as the Lebanese groups working in agriculture, construction, and others, so as to avoid treating the refugees as a social and economic burden.

The General Security Role in Regulating Refugee Residency

As for the General Security's view on the refugee issue, Lt. Col. Talal Youssef, Head of the Human Rights Department at the General Directorate of Lebanese General Security, spoke about the procedures that govern their work.

It's important to note that, Lebanon has not signed the 1951 Refugee Protection Convention, as it is not prepared to be a country of asylum for several reasons. The only legislative basis is a memorandum of understanding between the General Directorate of General Security and the United Nations High Commissioner for Refugees signed in 2003.

This memorandum of understanding aimed to protect people of different nationalities who have arrived in Lebanon, people who were previously protected by decisions of the UNHCR, which was the body that designated who was or wasn't a refugee. Given that Lebanon does not deport refugees and adheres to the principle of non-refoulement, a time limit of five to seven years was given, until a third country is found to resettle these people.

As for the Syrian refugees, at the beginning of 2015 the General Security issued a memorandum to specify the people who can enter Lebanon, the condition of which entry was allowed, and the requirements for obtaining legal residency based on either a UNHCR registration paper, personal sponsorship, or work permit. According to Lieutenant-Colonel Talal, only few applied for those legal papers.

Lt. Col. Talal considered that the adopted approach is based on international conventions on human rights and Lebanese laws in a manner that preserves the interests of the refugee and respects the laws of the Lebanese state. The person who applies for a service from the General Security centers is a right holder.

With regard to resettlement, Lebanon implements many of these programs in cooperation with the receiving countries, and appropriate facilities are provided despite Lebanon not having signed the Refugee Protection Convention. Lebanon relies on “Law 62” related to immigration, which does not consider anyone who has entered the Lebanese territory as an asylum seeker, that person may be an irregular or cross-border immigrant and they must be checked and approached according to the law.

Palestinian Refugees - Different Problems

The intervention of the UNRWA Legal Coordinator, Attorney Carol Mansour, focused on the conditions of the Palestinian-Syrian refugees in Lebanon and considered their problems different and more difficult than that of the Syrians.

Palestinian-Syrians and Syrians used to be treated equally with regard to the issue of entry and exit to Lebanon, but this changed after 2015. As a result of many discussions and meetings, those who entered Lebanon legally before September 2016 were allowed to renew their residency free of charge every 6 months. The status of Palestinian-Syrians who entered before and after this date, legally or illegally, is still under settlement.

As for work, a Palestinian-Syrian is treated as any foreigner in Lebanon and needs prior approval from the General Security before obtaining a work permit. Civil registration, such as marriage and births, is still a major hurdle, since the court require a legal residence of one of the parties to establish the marriage contract. This is made incredibly difficult for those who have been issued a decision to leave or were in violation of residence, and therefore their children won't be able to access education, which will lead to non-registered generations deprived of education.

The Syrian refugee can obtain nationality in their home country as well as for their children. The situation of the Palestinian-Syrian refugees is worse, since they are witnessing the second asylum. This is why UNRWA has always called on the Ministry of the Interior and General Security to fix the situation of these people, in order to facilitate the work of the Lebanese state and to control their numbers and conditions.

Carol concluded by pointing out that 5,000 Palestinians do not have identity cards or identification papers, and therefore cannot leave the camps, work legally, or even register marriages and births. She believes this will get worse when undocumented Palestinian-Syrians without are added to them.

Therefore, the issue of residence and civil registration is a priority in the next stage, while the problem of work permits follows. The current economic conditions make the demand to provide job opportunities for refugees an additional challenge for the Lebanese government, which first has to provide job opportunities for its citizens.
