



## Right to a Future: Threats to Legal and Physical Safety



Date: October 2017

Photo cover: October 25, 2015. Turkey, Sanliurfa. (c) Orlok.

# Acknowledgement

The Working Group for Persons Affected by the Syrian Displacement Crisis in Lebanon is pleased to express its gratitude to all those who contributed, directly or indirectly, to the production of this report, including:

ALEF – Act for Human Rights  
AJEM – Association of Justice and Mercy  
Arab NGO Network for Development  
Basmeh & Zeitooneh  
Tabitha for Relief & Development  
Himaya  
Naba'a  
Najdeh Association  
Palestinian Human Rights Organization  
SAWA for Development and Aid  
Women Now for Development  
Tabitha for Relief & Development

# Disclaimer

While the team made all efforts possible to cross-check information and reproduce only accurate facts and events, this does not overrule the possibility of inaccuracies or oversights, for which the Working Group for Persons Affected by the Syrian Displacement Crisis in Lebanon expresses hereby its regrets.

This publication has been produced with the assistance of the Dutch Ministry of Foreign Affairs, and the Oxfam confederation. The views expressed in this publication do not necessarily reflect the views of the Dutch Ministry of Foreign Affairs or the Oxfam confederation.



# Table of Contents

<b>Acknowledgement</b>	<b>4</b>
<b>Disclaimer</b>	<b>5</b>
<b>Acronyms</b>	<b>7</b>
<b>Foreword</b>	<b>8</b>
<b>Background</b>	<b>9</b>
<b>Threats to Legal Safety</b>	<b>10</b>
From an open-border policy to strict category-based entry requirements	10
Challenges with the renewal and regularization of residency permits	11
Gaps in policy implementation	12
Implications of threats to legal safety	12
Freedom of movement	12
Child registration	13
Statelessness	13
<b>Threats to Physical Safety</b>	<b>15</b>
Gender- based violence	16
Child abuse	16
Limited access to justice	17
Implications of threats to physical safety	18
<b>Recommendations</b>	<b>19</b>

# Acronyms

DGGS	Directorate General for General Security
DGPS	Director General of Personal Status
GBV	Gender-Based Violence
ICCPR	International Covenant on Civil and Political Rights
LAF	Lebanese Armed Forces
MEHE	Ministry of Education and Higher Education
MoSA	Ministry of Social Affairs
NRC	Norwegian Refugee Council
PRS	Palestinian Refugees from Syria
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East

# Foreword

Currently, Lebanon hosts over 1.5 million Syrians and 500,000 registered Palestinian refugees<sup>1</sup>, amounting to the highest number of refugees per capita in the world. Even though the Syrian refugee crisis is in its sixth year and there is an abundant flow of international support, policy-makers fail to respond to the crisis adequately and in line with their international obligations.

Local non-governmental organizations (NGOs) and international organizations have repeatedly stepped in when the government has failed to provide basic assistance and services that ensure the safety of refugee and host communities. This paper presents the positions of ten NGOs working in Lebanon on issues relating to refugees' legal and physical safety. Following extensive collaborative efforts, these organizations have identified the lack of access to legal documentation and legal remedy as the main threats to the dignified living of refugee populations in Lebanon.

By providing insight into the daily realities of Syrian and Palestinian refugees in Lebanon, this paper aims to highlight the gaps in Lebanese policies towards refugees from Syria, and how certain structures - or lack of them – not only deprive refugees of their basic rights, but deny them better prospects for their future.

Finally, this paper seeks to more accurately inform policy-makers and present practical recommendations that can help local and international stakeholders meet the needs of refugees and host communities.

---

1 UNRWA, "Protection in Lebanon 2016", April 2017, [https://www.unrwa.org/sites/default/files/content/resources/protection\\_in\\_lebanon\\_2016.pdf](https://www.unrwa.org/sites/default/files/content/resources/protection_in_lebanon_2016.pdf)

# Background

Lebanon has not ratified the 1951 Convention Relating to the Status of Refugees, nor its 1967 protocol, which defines a refugee, their rights, and the responsibilities of the signatory states. However, this does not exempt Lebanon from respecting certain fundamental rights of refugees. As a signatory of the Universal Declaration on Human Rights, Lebanon must ensure those fleeing violence and war may enter Lebanon's borders freely, without persecution.

As the Syrian conflict continues, the Lebanese government's neglect exacerbates pre-existing institutional and structural issues in Lebanon. The government of Lebanon can no longer ignore the gravity of the situation. They must reform and enforce policy and legislation that will legally and physically protect Lebanon's refugee population. The Executive Committee of the United Nations High Commissioner for Refugees (UNHCR), which Lebanon joined in 1963<sup>2</sup>, provides basic principles and guidelines that states should follow in cases of large influxes of refugees. According to the UNHCR, host countries must provide basic legal and physical protection and cannot force refugees to return to their country of origin if they are still in danger of persecution, otherwise known as *non-refoulement*<sup>3</sup>. Given that this principle is customary in nature, Lebanon remains bound by it irrespective of conventions which it has or has not signed.

Recently, the government has started to make policies focused on refugees' access to legal documentation, however, these policies are restrictive and disregard the basic needs of affected populations<sup>4</sup>. These policies also cannot be properly implemented since there are no independent monitoring and accountability mechanisms in place.

---

2 UNHCR, "Executive Committee's membership by year of admission of members", <http://www.unhcr.org/40112e984.html>

3 UN General Assembly, *op.cit.*, p.10

4 For a more detailed analysis please see ALEF's position paper on Solutions to the Syrian Refugee Crisis, December 2014, <https://alefliban.org/wp-content/uploads/2016/10/ALEF-Position-Paper-Solutions-to-the-Syrian-Refugee-Crisis-December2014-2.pdf>

# Threats to Legal Safety

## From an open-border policy to strict category-based entry requirements

On the 31<sup>st</sup> of December 2014, the Directorate General for General Security (DGGS) set new category-based entry requirements for Syrians wishing to enter Lebanon<sup>5</sup>. The provisions, typically known as the January 2015 regulations, were established to make the immigration process from Syria more efficient and to distinguish refugees from migrant workers. The DGGS organized Syrians into established categories. These categories included tourism, work visits, students, and persons seeking medical treatment<sup>6</sup>. It also introduced a category for “displaced persons.” This visa is only given in “extreme humanitarian cases<sup>7</sup>”. The Ministry of Social Affairs (MoSA), states that such criteria is limited to: unaccompanied or separated children with a parent already registered with UNHCR in Lebanon, persons with disabilities with a relative already registered in Lebanon, persons with urgent medical needs for whom treatment in Syria is unavailable, and persons who UNHCR will resettle to a third country<sup>8</sup>.

These requirements raise several concerns, mainly that refugees most often do not fit into one category.<sup>9</sup> Furthermore, the new requirements lack proper enforcement, and entry is frequently based on the personal discretion of the DGGS officers rather than the terms of the categories<sup>10</sup>. The MoSA, tasked with assessing whether asylum seekers are eligible for the ‘displaced’ visa, are rarely present at the border. When the MoSA is absent, DGGS officers can indiscriminately turn away asylum-seeker, and in the rare case that MoSA staff are present and can conduct interviews, the DGGS has the final say. When refugees do qualify for a specific category, they are often unaware of the requirements for such visas. If so, they can’t apply at the border since the new visas require documentation only available in Lebanon.

---

5 UNHCR, “Q&A for Syrian refugees on new requirements for residency renewal in Lebanon”, March 2017, [https://www.refugees-lebanon.org/uploads/poster/poster\\_148957049554.pdf](https://www.refugees-lebanon.org/uploads/poster/poster_148957049554.pdf)

6 ALEF, “Food for thought: Impact of the recent border regulation for Syrian refugees on the promotion and protection of refugee and human rights in Lebanon”, January 25, 2015, [http://www.europarl.europa.eu/meetdocs/2014\\_2019/documents/dmas/dv/foodforthought-recentborderregulation/foodforthought-recentborderregulationen.pdf](http://www.europarl.europa.eu/meetdocs/2014_2019/documents/dmas/dv/foodforthought-recentborderregulation/foodforthought-recentborderregulationen.pdf)

7 *Ibid.*

8 Inter-Agency Coordination Lebanon, “Protection Sector Monthly Dashboard”, April 2015

9 Inter-Agency Coordination Lebanon, “Protection Sector Monthly Dashboard”, July 2015

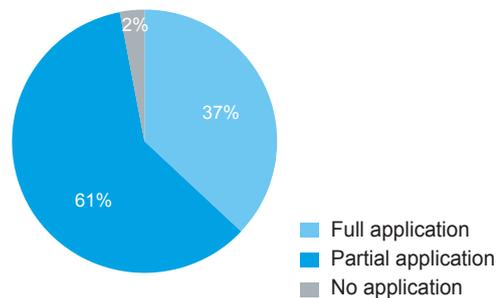
10 Interview with ALEF, May 2017

The situation for Palestinians from Syria (PRS) in Lebanon is of even graver concern. Although they've come from Syria, they are considered Palestinian first, and are excluded from state policies responding to the Syrian crisis<sup>11</sup>. They are also not eligible for registration with the UNHCR and must instead request aid from UNRWA. However, UNRWA is dealing with major budget cuts and is struggling to help the already large – and growing- Palestinian population in Lebanon<sup>12</sup>.

## Challenges with the renewal and regularization of residency permits

In March 2017, the DGGS declared that residency fees will be waived for all persons registered with the UNHCR before 2015<sup>13</sup>. There are two main concerns with this decision. First, the fee waiver does not apply to those who have previously obtained residency through the sponsorship<sup>14</sup> system, even if they are no longer sponsored. Second, on January 5<sup>th</sup> 2015, UNHCR stopped accepting refugee applications, so all refugees recorded by the agency after this date can't obtain the waiver<sup>15</sup>. Long delays in getting UNHCR certificates renewed for persons registered with the agency before 2015 also prevent refugees from benefiting from the fee waiver.

Residency fee Waiver Implementation



11 UNHCR, "The situation of Palestinian Refugees in Lebanon", February 2016, <http://www.refworld.org/pdfid/56cc95484.pdf>

12 UNRWA, "Lacks of Funds Forces UNRWA to Suspend Cash Assistance for Housing for Palestine Refugees from Syria in Lebanon", May 22, 2015

13 UNHCR, "Q&A for Syrian refugees on new requirements for residency renewal in Lebanon", March 2017, [https://www.refugees-lebanon.org/uploads/poster/poster\\_148957049554.pdf](https://www.refugees-lebanon.org/uploads/poster/poster_148957049554.pdf)

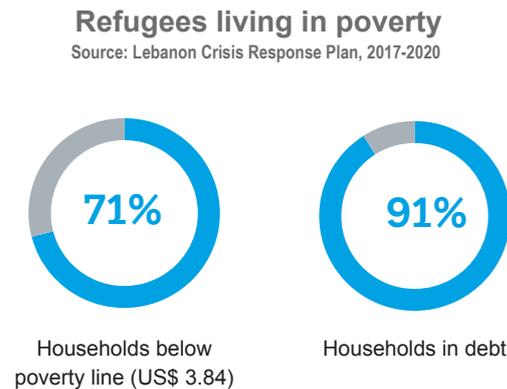
14 The sponsorship system for Syrian nationals - different from that which regulates the entry and stay of other migrants - requires that a Lebanese national pledge their responsibility for a Syrian national and their family at the General Security Office in order to renew their residency permit. It also requires a \$200 fee per person above 15 years old for a 6 months' residency permit which is renewable for another 6 months.

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

## Gaps in policy implementation

Although the DGGS requires their offices to waive residency fees, only 37% of General Security offices apply the waiver fully<sup>16</sup>, while others ask for additional documentation<sup>17</sup>. Some offices ask applicants to pay a penalty for not having applied for residency in past years, while still refusing to renew residency<sup>18</sup>.

Those whose applications for residency permits are denied, must use the sponsorship system. Refugees using the sponsorship system still pay the \$200 fee, however the government is more likely to accept their application since they are entrusted to a sponsor and can be monitored. Still, the \$200 application fee<sup>19</sup> leaves this system inaccessible for many refugees, of whom 71% live under the poverty line<sup>20</sup> and 91% are in debt<sup>21</sup>.



## Implications of threats to legal safety

### Freedom of movement

By preventing refugees from obtaining residency permits, the Lebanese government restricts refugees' movement around Lebanon. Refugees fearing the consequences of remaining in Lebanon with no legal residency, which can range from the confiscation of documents to arbitrary arrest,<sup>22</sup> will remain at home or send their children aged under 15 to work instead.

**“In Lebanon, we do not feel secure when we move away from our neighbourhood. My family and I are very careful in our interactions with [others] and avoid passing through the Lebanese army checkpoints because we do not have residency papers [...] and are afraid of being deported to Syria. Our home was destroyed and we have no place to go.”**

**- Amir\*, 40**

16 Inter-Agency Coordination Lebanon, “Inter-Agency Meeting Presentation”, March 10, 2017: 1 DGGS office in Mount Lebanon is not applying the circular

17 Inter-Agency Coordination Lebanon, “Inter-Agency Meeting Presentation”, March 10, 2017

18 Meeting with NRC, June 9, 2017.

19 Usually \$1000 per person: Human Rights Watch, “Lebanon: New Refugee Policy a Step Forward”, February 14, 2017, <https://www.hrw.org/news/2017/02/14/lebanon-new-refugee-policy-step-forward>

20 UNICEF, UNHCR, WFP, “Vulnerability assessment of Syrian refugees in Lebanon 2016”, December 16, 2016

21 Lebanon Crisis Response Plan, 2017-2020

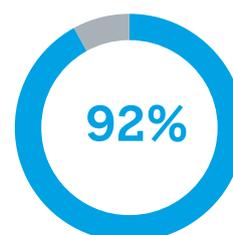
22 NRC and IRC, “Legal Status of Refugees from Syria: Challenges and Consequences of Maintaining Legal Stay in Beirut and Mount Lebanon”, June 2015, p.24

\*first names have been changed for the safety of those interviewed

## Child registration

The near impossibility of obtaining legal status impedes Syrian parents from registering their new-borns<sup>23</sup>. A survey conducted by the Norwegian Refugee Council (NRC) in January 2015, found that 92% of Syrian parents were unable to register their new-borns with the Mukhtar due to a lack of legal papers<sup>24</sup>. The Mukhtar, the elected village leader, is responsible for creating birth certificates and giving them to parents, who will then hand the certificates to the Nofous, the local registry. However, many Mukhtars, and Nofous employees will demand proof of residency to complete registration for refugee new-borns<sup>25</sup>, which is not a legal requirement.

**Syrian parents unable to register their new-borns due to lack of legal papers**



Unlike the Syrian system, in Lebanon there is a one-year period after birth when parents can register their new-borns. Many Syrian refugees are unaware of the Lebanese regulations<sup>26</sup>. If refugees miss the one-year limit, they must go to court to complete registration, which they can't do without valid residency permits. Some parents ask the Mukhtar to go to the Personal Status Department and complete this step on their behalf, however they are usually charged between \$60 and \$70 for this service, which many cannot afford<sup>27</sup>.

The criminalization of the lack of residency stay hinders refugees' ability to complete birth registration<sup>28</sup>. It also disregards Lebanon's international commitments to the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child (ICCPR), which mentions the right of every child to be registered at birth.

## Statelessness

Thousands of Syrian children face statelessness<sup>29</sup> due to the birth registration process<sup>30</sup>. The birth certificate plays a vital part in proving Syrian nationality, which can only be passed down through the father, and is inherited at birth, whether that occurs in Syria or abroad.<sup>31</sup> However, when there is no birth certificate, the family link with a Syrian father cannot be proven and there is no proof of nationality.

23 Amnesty International, "Pushed to the edge: Syrian refugees face increased restrictions in Lebanon", June 15, 2015, p.24

24 *Ibid.*, p.23.

25 *Ibid.*, p. 22.

26 IHRC, NRC, "Registering Rights : Syrian refugees and the documentation of births, marriages, and deaths in Jordan", October 2015

27 Meeting with Himaya, June 8, 2017

28 *Ibid.*, p. 23.

29 According to the Convention Relating to the Status of Stateless Persons, 1954 a stateless person is a "person who is not considered as a national by any State under the operation of its law".

30 NRC, *op.cit.*, p.6.

31 ISI and NRC, "Understanding statelessness in the Syria refugee context", 2016, p.6, <http://www.syrianationality.org/pdf/report.pdf>

The Lebanese government threatens Syrians' right to a nationality when, while registering their new-borns, Syrians must present legal residency permits<sup>32</sup>. In 2015, Minister of Foreign Affairs Gebran Bassil, threatened to halt cooperation with the UNHCR should they continue to register new-borns.<sup>33</sup> Mr. Bassil stated that Syrian authorities should be responsible for registering new-borns. He fears that if Lebanese authorities do so, it will lead to the eventual naturalization of refugees.<sup>34</sup>

Statelessness will prevent the Lebanese government and the international community from reaching durable solutions for refugees after the crisis. These refugees will be unable to apply for resettlement<sup>35</sup> or return to their country of origin.<sup>36</sup>

Recent policy developments, however, may improve this reality. On September 19, 2017, the Director General of Personal Status (DGPS) issued a memorandum to simplify the registration of marriage and births for Syrian citizens living in Lebanon. The resolution would exempt Syrians from having to show their residence permits in some cases<sup>37</sup>. Another Memorandum issued on October 5<sup>38</sup>, 2017, brought PRS under these same rules. These decisions are a positive step for those living in Lebanon without official proof of residency or for Syrian children who can't legally prove their Syrian nationality.

---

32 According to Lebanese nationality law, children born to Syrian parents in Lebanon cannot acquire Lebanese nationality.

33 MTV, "Heated Conversation Between Derbas and Bassil", July 16, 2015, [http://mtv.com.lb/news/english\\_live\\_feed/501075/heat-ed\\_conversation\\_between\\_derbas\\_and\\_bassil](http://mtv.com.lb/news/english_live_feed/501075/heat-ed_conversation_between_derbas_and_bassil).

34 Al Akhbar, "الغبط بشأن تسجيل ولادات اللاجئين", July 16, 2015, <http://www.al-akhbar.com/node/237978>

35 Refugees wanting to resettle in third-countries will require identification that is currently only available to those with a nationality.

36 Stateless individuals, who may verbally consider themselves Syrian, might not be seen as such by the Syrian government and will not be granted return to Syria after the war

37 Ghida Frangieh, The Legal Agenda, "Two decisions to facilitate legal procedures for Syrians in Lebanon: Facilitating procedures for changing the sponsor and registering new births", September 27, 2017

38 Palestinian Refugees portal, "Simplification of Some Procedures for Palestinian Refugees from Syria", October 9 2017, <http://refugeesps.net/post/5582>

# Threats to Physical Safety

Since clashes between the Lebanese army and Syrian Islamist militants occurred in the town of Aarsal and in Northern Tripoli in 2014, security raids on refugee settlements and arrests of refugees without legal status have frequented. Municipality curfews have also been put in place. The curfew, legally, applies to all foreigners but only targets Syrians, which is one of the most blatant forms of racial discrimination<sup>39</sup>. In 2016, ALEF documented cases of 19 municipalities in the Bekaa that imposed night curfews as a result of 8 suicide bombings believed to have been orchestrated by Syrian nationals living in refugee camps near the Syrian border. Many added additional security measures, like banning Syrians from gathering in public areas and installing security checkpoints around their towns<sup>40</sup>, were added as well.

In June 2017, tensions between police and refugees rose following security raids by the Lebanese Armed Forces (LAF) at Aarsal's Nour and Qaariya refugee camps. Somewhere between 150<sup>41</sup> and 350<sup>42</sup> refugees were arrested during the raids. Several pictures were published on social media depicting the arrests, beatings, and transportation of the detainees.<sup>43</sup> Four Syrian nationals died in custody prior to the start of the interrogations.<sup>44</sup> The bodies of the four Syrians given back to their families were heavily bruised and showed signs of possible torture<sup>45</sup>. The number of deaths while in custody has potentially risen to ten<sup>46</sup>. There were also alleged claims of a cover-up. Some of the families of deceased individuals were pressured by security forces to bury their dead without conducting an autopsy. Local figures and authorities were coerced by the LAF into remaining quiet about these incidents.<sup>47</sup>

---

39 The Lebanese Institute for Democracy and Human Rights (LIFE), "The legal report on the situation of Syrian refugees in Lebanon", June 2015

40 ALEF, "Annual Report 2016", April 2017, [https://alefliban.org/wp-content/uploads/2017/03/ALEF\\_AnnualReport\\_2016.pdf](https://alefliban.org/wp-content/uploads/2017/03/ALEF_AnnualReport_2016.pdf)

41 Al Arabiya, "5 Suicide Bombers Blow Themselves Up in Refugee Camp in East Lebanon", 2017, <https://goo.gl/dbZDsJ>

42 See supra note 10

43 The New Arab, "Syrian Refugees Tortured During Lebanese Military Raid on Aarsal Camps", 2017, <https://www.alaraby.co.uk/english/news/2017/7/1/syrian-refugees-tortured-during-lebanese-military-raid-on-camp>

44 Lebanese Army Directorate of Orientation, "The Death of Arrested Individuals as a Result of Chronic Health Issues", 2017, <https://www.lebarmy.gov.lb/en/content/death-arrested-individuals-result-chronic-health-issues> <https://www.lebarmy.gov.lb/en/content/death-arrested-individuals-result-chronic-health-issues>

45 Human Rights Watch, "Lebanon: Deaths, Alleged Torture of Syrians in Army Custody", July 20, 2017, <https://www.hrw.org/news/2017/07/20/lebanon-deaths-alleged-torture-syrians-army-custody>

46 Naharnet, "Calls for Probe after Syrians Die in Lebanese Army Custody", July 5, 2017, <http://www.naharnet.com/stories/en/232434>

47 Janoubia, "Deaths of Aarsal Detainees Rise to Ten amid Anger and Doubt", 2017, <https://goo.gl/WNLWtg>

## Gender-based violence

In 2015, the UN reported that in one out of five Syrian refugee households in Lebanon, women were the sole breadwinners<sup>48</sup> because their husband was either deceased, in detention or abroad. Single women struggle to meet the high cost of living, and employers and landlords take advantage of their vulnerable situation as both a woman and a refugee. Working, female refugees are perceived to have no other choice but to accept low wages, and other forms of exploitation and harassment<sup>49</sup>. Many Syrian girls are forced into prostitution or marriage to earn money for their families<sup>50</sup>. Syrian women frequently report that sponsors or employers sexually harass or try to sexually exploit them, but refugees fear retribution if they confront their harassers<sup>51</sup>.

Many refugee women, therefore, prefer to resolve issues amongst themselves or remain silent due to cultural stigmas and the fear of bringing “dishonour” to their families. The rare few that do report gender-based violence (GBV) are not guaranteed safety from their employers or harassers.

## Child abuse

Children below 15 years of age can easily sneak past checkpoints, making them valuable to employers, who can hire them for cheap labour with low risk of being stopped by police. A recent report found that Syrian families and employers sometimes beat children to force them to keep working against their will<sup>52</sup>.

**“In the area where we live, I saw children force a Syrian girl to stand in a corner as they beat her with stones while insulting her and her deceased father. This attitude made me feel ashamed and insulted, but I cannot defend myself or any Syrian who is insulted when there is no law that protects me and protects the refugees in Lebanon.”**

- Noura\*, 13.

---

48 Amnesty International, “I want a safe place, Refugee women from Syria uprooted and unprotected in Lebanon, Amnesty International”, February 2016; UNHCR, “Vulnerability Assessment of Syrian Refugees in Lebanon 2015”, December 2015, p. 12, <http://data.unhcr.org/syrianrefugees/download.php?id=10006>; UNRWA reports that 29.66% of 12,735 Palestinian refugee from Syria households are headed by women; UNRWA, “Profiling the Vulnerability of Palestine Refugees from Syria Living in Lebanon 2015”, pp. 11-12

49 UNA, “Safeguarding the rights of refugee women in Lebanon”, May 3, 2016, <https://www.una.org.uk/magazine/1-2016/safeguarding-rights-refugee-women-lebanon>

50 Naharnet, “Syrian Refugee Women Tell Stories about Sexual Exploitation in Lebanon”, August 1, 2014, <http://www.naharnet.com/stories/en/141494>

51 Human Rights Watch, “How Lebanon’s Residency Rules Facilitate Abuse of Syrian Refugees”, January 2016, <https://www.hrw.org/report/2016/01/12/i-just-wanted-be-treated-person/how-lebanons-residency-rules-facilitate-abuse>

52 MTV, “بالفيديو: طفلٌ يتعرّض للضرب... وذنبيه أنّه سوري!”, May 1, 2017, <https://goo.gl/PXFvt6>

\*first names have been changed for the safety of those interviewed

In school, children suffer from bullying and harassment by other students as well as corporal punishment by teachers<sup>53</sup>. In many cases, bullying and corporal punishment results in high dropout rates. Yet, the Ministry of Education (MEHE) does not have procedures put in place to protect students if they report abuse. There is also no transparency or follow-up during the process. The mechanism the MEHE does have, which assigns abuse cases in public schools to counsellors, is often improperly implemented. The counsellors apply for the job but can come from a range of backgrounds including, teachers, social workers and psychologists. However, several organizations found that the counsellors are not always qualified<sup>54</sup>.

## Limited access to justice

Many refugees in Lebanon consider the Lebanese justice system unfair<sup>55</sup>. The limited access to justice exposes refugees to further exploitation and abuse, while preventing the accountability of perpetrators. The impunity enjoyed by military officers in Lebanon, is often tolerated by the public in matters of national security. This occurs even when activists and rights groups raise concerns about the use of torture by Lebanese authorities.

**“My 16-year-old son was beaten by a group of Lebanese youths, cursed, insulted, and severely hit in the head with a sharp object. We could not complain because we did not have residency papers in Lebanon and could therefore be threatened with deportation or imprisonment.”**

**- Amir\*, 40**

The lack of trust in authorities and the fear of reprisal by abusers guarantee that refugees will not report incidents to local authorities. In 2015, four percent of Syrian nationals living in Lebanon filed charges during their stay in Lebanon; half of whom were not satisfied with the outcome<sup>56</sup>. Of the 807 lawsuits involving Syrian nationals between 2012 and 2015, not a single lawsuit was filed by a Syrian plaintiff against a Lebanese defendant<sup>57</sup>.

Syrians, therefore seek justice through informal mechanisms<sup>58</sup>, such as community leaders, religious or tribal figures, social networks, NGOs, or the shawish, the refugee community leader in camps<sup>59</sup>. However, informal actors cannot provide justice. Their interventions may sometimes successfully solve violent crises but do not provide formal consequences against perpetrators<sup>60</sup>.

53 Human Rights Watch, “Growing Up Without an Education: Barriers to Education for Syrian Refugee Children in Lebanon”, July 2016, <https://www.hrw.org/report/2016/07/19/growing-without-education/barriers-education-syrian-refugee-children-lebanon>

54 Meeting with Himaya, June 8, 2017

55 International Alert, “Doing justice to refugees”, October 27, 2015, <http://international-alert.org/news/doing-justice-to-refugees>

56 T. Fakhuri, CISH, “Syrian refugees’ access to formal and informal justice in Lebanon: Contextualizing the survey and sharing its findings”, August 2016

57 K. El Mufti, CISH, “Survey of court cases against Syrian nationals in Lebanon”, September 2015

58 M. Al-Masri, M. Altabaa and Z. Abl, International Alert, CISH, “Informal justice mechanisms used by Syrian refugees in Lebanon”, September 2016

59 The informal leader of Syrian settlements who coordinates with aid organization and the decision maker in the entire camp

60 M. Al-Masri, M. Altabaa and Z. Abl, International Alert, CISH, “Informal justice mechanisms used by Syrian refugees in Lebanon”, September 2016

\*first names have been changed for the safety of those interviewed

## Implications of threats to physical safety

Challenges	Reasons	Impact
Lack of legal status	<ul style="list-style-type: none"> <li>- Invalid legal residency permits due to the high cost of permit renewal (200 \$)</li> <li>- Inability to register newborns</li> </ul>	<ul style="list-style-type: none"> <li>- Syrian who don't hold legal documents can't go to courts or police stations to file complaints</li> <li>- Limited relations with authorities due to a lack of trust</li> <li>- Restriction of movement</li> <li>- Arrest and detention by Lebanese authorities</li> <li>- Lack of access to public services (healthcare, education, justice, etc.)</li> </ul>
Fear of retribution	<ul style="list-style-type: none"> <li>- Fear that the police will make assumptions based on racial profiling and stereotypes or false accusations by police officers</li> <li>- Fear of mistreatment at the police station due to racial profiling</li> <li>- Lack of a victim support system and complaint mechanism that is independent and protects victims</li> </ul>	<ul style="list-style-type: none"> <li>- Possibility of threat against the complainant and their family by the perpetrator</li> <li>- Impunity of the perpetrator</li> </ul>
Economic situation	<ul style="list-style-type: none"> <li>- Cost of a lawsuit and legal services and the limited availability of such services</li> <li>- Syrian refugees in Lebanon are suffering hard economic conditions</li> </ul>	<p>Majority of Syrian refugees prefer to spend money on livelihood matters (living, medical, care, food, etc.)</p>

# Recommendations

## To the Lebanese government

- Reinstating a transparent refugee registration framework which will generate evidence about the state of refugees in Lebanon, and enable the development of evidence-based policies and programming.
- Ensure that all policies in place responding to the Syrian crisis in Lebanon are in line with international human rights obligations, and account for specific protection issues refugees encounter.
- Facilitate access to protection and legal documentation for refugees from Syria in Lebanon, and broaden the applicability of the \$200 fee waiver to encompass all Syrians who are registered as refugees or recorded after 2015 with the UNHCR. While, also ensuring and monitoring the consistent implementation of the waiver.
- Ensure formal complaints mechanisms are transparent, clear and comprehensive for complainants, and victims can file complaints without fear of retaliation from abusers.
- Strengthen state institutions so they can adequately help victims of torture, GBV, and other forms of abuse. This can be done by properly training police officers to respond to these forms of abuse, and complemented by enhancing the relevant legal protection framework.
- Improve the coordination among various government offices to better detect and respond to security threats in a way that does not put civilians at risk and prevents arbitrary evictions and arrests by security agencies and municipal actors.
- Ensure that all law enforcement officials and agencies are under the oversight of an independent civilian body that is equipped with sufficient resources and powers to function effectively and transparently, while taking into consideration the particular protection needs of refugees.
- Create a framework that allows NGOs to provide the legal services that are inaccessible to vulnerable communities, including in places of detention.

## To the UNHCR

- Inform policy discussions on the legal stay of Syrian refugees and PRS based on previous instances of large-scale migration due to violent conflict.









## Right to a Future: Threats to Legal and Physical Safety



RELIEF & DEVELOPMENT



سوا للتنمية والإغاثة  
Sawa for Dev & Aid



Arab NGO Network for Development  
شبكة المنظمات العربية غير الحكومية للتنمية



النساء الآن  
WOMEN NOW  
FOR DEVELOPMENT

