

PASC WG Brief - Migration and Movement

This brief has been produced by the Persons Affected by the Syrian Crisis Working Group (PASC WG) ahead of the Brussels V Conference on Supporting the Future of Syria and the Region. The PASC WG is a network of 26 local Non-Governmental Organizations supporting vulnerable Lebanese, Syrians, and Palestinians. It aims to amplify the capacity and influence of its members, increasing their ability to monitor, advocate, and discuss research findings on key national and international trends and issues pertaining to human rights and protection in Lebanon. As part of its mandate to advocate for a future anchored in human rights, the PASC WG has been advocating and researching on a series of issues to shed a light on the most important and pressing protection challenges pertaining to child protection, forced evictions, the right to work, and deportations.

This year, due to the economic depression and change of country circumstances, the PASC WG expanded its research focus to include information on attempts at migration, restrictions on freedom of movement, the rise in social tensions, and sexual and gender-based violence. As such, the PASC WG's briefs for the Brussels V Conference are set out as follows: (1) Evictions and Social Tensions; (2) Documentation and Deportations; (3) Child Protection and SGBV; and (4) Migration and Freedom of Movement.

Current Context

Since the end of 2019, the Lebanese Pound experienced a 90% depreciation and is continuing in this downward trend, while the cost of consumer products has inflated at alarming rates.¹ Meanwhile, an estimated 25% of private sector jobs were lost and nearly 50% of salaries were reduced.² Half of the population of Lebanon is currently living in poverty and a quarter in extreme poverty, while the Ministry of Social Affairs has projected that 70% of the population will be in need of aid in the near future.³

Against this background, the already deplorable situation of refugees has worsened in several ways. In addition to the frightening statistics – 89% of Syrian refugees living in extreme poverty in 2020, as opposed to 55% in 2019 – refugees have also reported feeling increased pressure to return from both the government and host community.⁴ Much of this pressure is related to competition for jobs, in addition to the generally difficult economic and political situation in Lebanon.⁵

¹ Byblos Bank: "Lebanon this week 667", <https://www.byblosbank.com/common/economic-research-new/lebanon-this-week/lebanon-this-week-667/increase-in-food-prices-in-lebanon-is-highest-in-mena-region>.

² Financial Times: "Currency crisis leaves Lebanese cupboards bare", <https://www.ft.com/content/69e1e040-d8d7-494e-9a90-6f02f68f0bf7>;

Refugee Protection Watch: "Syrian Refugees in Lebanon: winter needs, lack of access to COVID-19 assistance and pressure to return", <https://11.be/sites/default/files/2021-02/RPW%20Policy%20Brief%20February%202021.pdf>

³ UNHCR: "VASyR Vulnerability Assessment of Syrian Refugees in Lebanon (2020)", <https://reliefweb.int/sites/reliefweb.int/files/resources/VASyR%202020.pdf>.

⁴ Refugee Protection Watch: "Syrian Refugees in Lebanon: winter needs, lack of access to COVID-19 assistance and pressure to return", <https://11.be/sites/default/files/2021-02/RPW%20Policy%20Brief%20February%202021.pdf>.

⁵ UNHCR: "VASyR Vulnerability Assessment of Syrian Refugees in Lebanon (2020)", <https://reliefweb.int/sites/reliefweb.int/files/resources/VASyR%202020.pdf>.

Migration

The current economic and social situation in Lebanon is worse than it has been in decades, with the World Food Programme warning that Lebanon will soon face acute food insecurity.⁶ Already, an estimated 60% of Lebanese are facing difficulties meeting their food needs, while 78% of Syrian refugees are food insecure.⁷ During the past few weeks, dozens of videos have been shared on social media showing people fighting each other over powdered milk, cooking oil or rice, due to the rapid inflation and their scarcity in the markets. Indeed, since late 2019, illegal capital controls were applied to depositors' accounts; they began by limiting depositors USD withdrawals, then eventually stopped allowing USD withdrawals altogether and instead began forcing people to withdraw their dollar deposits at an artificial exchange rate of 3,900 LBP to the USD.⁸ This artificial exchange rate is still being applied, despite the fact that the black-market exchange rate now exceeds 10,000 LBP to the USD.⁹ This means that depositors lost 60-70% of the value of their deposits and savings over a very short period of time, nearly obliterating Lebanon's middle class.

For those who were already struggling to pay the bills and make ends meet, the devaluation of the Lebanese pound and the corresponding inflation has led to a struggle for survival. Where the most vulnerable used to rely on the generosity of neighbors and community members to get through tough times, that social safety net has shrunk rapidly now that many of those helpers are now, themselves, in need of help.¹⁰ Many NGOs and humanitarian workers have reported that impoverished families are resorting to negative coping mechanisms, such as skipping meals, ignoring medical issues, or even turning to risky practices to earn wages, such as dealing in drugs and sex work.¹¹

As a result of this system-collapse, some of the most desperate refugees and Lebanese have begun seeking ways out of Lebanon, hoping that life in another country will offer more dignity. But traditional pathways to immigration typically serve more privileged sectors of society – those with graduate degrees or with substantial income, bilingual or multilingual, with adequate funds for visa applications – and are not typically accessible to those with the greatest need. Even refugee resettlement numbers are extremely low, only 100,000 out of more than 1 million Syrian refugees in Lebanon have been resettled since 2011.¹²

⁶ World Food Programme: "Hunger hotspots FAO-WFP early warnings on acute food insecurity", http://www.fightfoodcrises.net/fileadmin/user_upload/fightfoodcrises/doc/resources/Hunger-Hotspots-March-2021.pdf.

⁷ Action Against Hunger: "60% of people in Lebanon struggle to get enough food", <https://www.actionagainsthunger.org/story/60-people-lebanon-struggle-get-enough-food>.

⁸ UPI: "Lebanon's bank depositors dread losing life savings", https://www.upi.com/Top_News/World-News/2021/01/18/Lebanons-bank-depositors-dread-losing-life-savings/8191610729139/.

⁹ France24: "Freefalling Lebanon currency hits new low", <https://www.france24.com/en/live-news/20210316-freefalling-lebanon-currency-hits-new-low>.

¹⁰ Arabian Business: "Beirut life stories: we used to be from the so called middle class, now we are broken", <https://www.arabianbusiness.com/politics-economics/451264-beirut-life-stories-we-used-to-be-from-the-so-called-middle-class-now-we-are-broken>.

Foreign Policy: "The death of Lebanon's middle class", <https://foreignpolicy.com/2020/05/21/lebanon-coronavirus-middle-class-poverty/>.

¹¹ Plos One: "Voices of the vulnerable", <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0242421>.

¹² Reliefweb: "Resettlement offers vital lifeline for Syrian refugees", <https://reliefweb.int/report/lebanon/resettlement-offers-vital-lifeline-syrian-refugees>.

Additionally, the process of resettlement, which was already slowing down, slowed down significantly as a result of the COVID-19 pandemic.¹³

Over the course of the spring and summer of 2020, there were 21 reported incidences of desperate Lebanese and Syrian refugees, as well as a few migrant workers, trying to reach Cyprus by small fishing boats. Estimates of the total number of passengers from these cumulative attempts range from 800 to 3,000 individuals. Tragically, at least one of these attempts resulted in the deaths of several passengers, as the fishing boat, carrying 37 people, ran out of fuel and was left stranded at sea for 7 days.¹⁴

Adding risk to the journey of these hopeful migrants was the aggressive and illegal reaction of Cypriot border coastguards who tried to sink some of the fishing boats by creating heavy waves with their boats and circling the migrants at high speeds, and in one case, even ramming into one of the wooden boats.¹⁵ Some also reported being beaten or electrocuted by the coastguards carrying electric batons, with one migrant reporting having suffered a seizure.¹⁶ They also returned the migrants to Lebanon immediately, without allowing them to make any claims to asylum, all potentially violating the principle of non-refoulement.¹⁷ Despite these and several other attacks by Cypriot coastguards against migrants from various countries over the course of last year, there has yet to be any accountability against state agents for violations of human rights and the principle of non-refoulement.¹⁸

Freedom of movement

The lack of opportunities for resettlement and legal migration are just one of the ways that the stay of refugees in Lebanon could be an exemplary case of containment and securitization of asylum. Within Lebanon, refugees have been subject to discriminatory restrictions on their freedom of movement. For instance, refugees living in Arsal experience a great deal of difficulty and security concerns around leaving the town, which has been designated a military zone and heavily monitored by military checkpoints, ever since 2014 when the war in Syria spilled over into Lebanon and ISIS attacked the border town.¹⁹ However, it has been years since militant groups were present in the area, yet Arsal continues to be categorized as a military zone and is surrounded by military checkpoints. Crossing these checkpoints requires permission and that has made mobility to other parts of Lebanon far more difficult for the 65,000 Syrian refugees living in tents in Arsal.²⁰ Similar situations exist for Palestinian refugees; if they lack proper documentation then they cannot enter and exit the camps, for fear of being apprehended.

¹³ Ibid.

¹⁴ ALEF – Act for Human Rights: “*Last Line of Hope report*”, December 2020.

¹⁵ Human Rights Watch: “*Cyprus asylum seekers summarily returned*”, <https://www.hrw.org/news/2020/09/29/cyprus-asylum-seekers-summarily-returned>.

¹⁶ Ibid.

¹⁷ ALEF – Act for Human Rights: “*Last Line of Hope report*”, December 2020.

¹⁸ Human Rights Watch: “*Human Rights Watch submission to the Special Rapporteur’s report on pushback practices and their impact on the human rights of migrants*”, <https://www.hrw.org/news/2021/02/01/human-rights-watch-submission-special-rapporteurs-report-pushback-practices-and>.

¹⁹ Al-Jazeera: “*Abandoned, forgotten, Syrian refugees plead for help in Arsal*”, <https://www.aljazeera.com/news/2019/1/17/abandoned-forgotten-syrian-refugees-plead-for-help-in-arsal>

²⁰ Human Rights Watch: “*Lebanon: dire conditions for Syrian refugees in border town*”, <https://www.hrw.org/news/2021/01/19/lebanon-dire-conditions-syrian-refugees-border-town>.

In addition to these restrictions, which have existed for years, the COVID-19 pandemic and subsequent lockdowns resulted in several discriminatory restrictions of movement that targeted refugees. COVID-19 was employed by several politicians as an excuse to stereotype or scapegoat refugees from the problems in the country, including uttering claims that refugees will spread the virus, before any COVID-19 cases were reported amongst refugees.²¹ In early March 2020, weeks before a general lockdown was announced for the country, curfews began to be applied by some municipalities for refugees only.²² The curfews applied to refugees were even more limited than those applied to the general public, in some cases allowing them to leave the home for only 5 hours a day.²³

Adding insult to injury, the punishments faced by refugees for violating the strict curfews they were subject to were often much more severe than punishments faced by Lebanese nationals. They were threatened with having their identity documents confiscated, putting them in an extremely precarious protection situation, as lacking legal residency documents could result in arrest and deportation.²⁴ Refugees were also often fined at the upper limit of the fine range, and forced to pay a penalty they could not afford, or else the fine could be converted to a criminal charge if not paid within 6 months.²⁵

This discriminatory treatment made refugees less likely to seek medical help when infected with the COVID-19 virus as they fear that doing so could subject them to arrest or deportation.²⁶ It has also made the distribution of aid and support to refugees much more difficult; several of the NGOs and CSOs that provide support to refugees that lack legal residency are themselves Syrian or Palestinian run. Due to a lack of trust in authorities and their promise to exempt persons delivering life-saving activities from curfews, many postponed aid activities to avoid potential run-ins with authorities.²⁷ These stressors have culminated in a higher spread of COVID-19 among refugees and a higher death rate as refugees avoid seeking treatment when needed.²⁸

²¹ Synaps Network: "COVID and the camps", <https://www.synaps.network/post/lebanon-camps-palestinian-refugees-corona>; Syria Justice and Accountability Center: "Syrians in Lebanon face discriminatory measures amid coronavirus lockdown", <https://syriaaccountability.org/updates/2020/04/30/syrians-in-lebanon-face-discriminatory-measures-amid-coronavirus-lockdown/>.

²² Al-Jazeera: "Lebanon municipalities discriminate against refugees", <https://www.aljazeera.com/news/2020/4/2/covid-19-lebanon-municipalities-discriminate-against-refugees>.

²³ Ibid.

²⁴ Syria Justice and Accountability Center: "Syrians in Lebanon face discriminatory measures amid coronavirus lockdown", <https://syriaaccountability.org/updates/2020/04/30/syrians-in-lebanon-face-discriminatory-measures-amid-coronavirus-lockdown/>.

²⁵ Bilateral discussion with URDA, February 4, 2021, <https://urda-lb.org/en/home/>.

Daraj Media: "تضيق وملاحقات أمنية... ضغوط لبنان على منظمات إغاثة اللاجئين", <https://daraj.com/55951/>.

Legal Agenda: "محضر مخالفة بحق سورين بقيمة قد تتجاوز مستحقاتهم 70", <https://bit.ly/2NIJFCA>.

²⁶ NPR: "Syrian refugees in Lebanon fear deportation for seeking coronavirus test or care", <https://www.npr.org/2020/04/06/825158835/syrian-refugees-fear-deportation-if-they-seek-coronavirus-testing-and-treatment>.

²⁷ Bilateral discussions between ALEF, SAWA and URDA, February 4, 2021, <https://urda-lb.org/en/home/>;

Syria Justice and Accountability Center: "Syrians in Lebanon face discriminatory measures amid coronavirus lockdown", <https://syriaaccountability.org/updates/2020/04/30/syrians-in-lebanon-face-discriminatory-measures-amid-coronavirus-lockdown/>.

²⁸ Reuters: "Palestinian refugees in Lebanon three times more likely to die with COVID-19", <https://www.reuters.com/article/us-lebanon-refugees-health-trfn-idUSKBN2AG22M>.

The New Humanitarian: "How COVID-19 is limiting healthcare access for refugees in Lebanon", <https://www.thenewhumanitarian.org/feature/2020/04/21/Lebanon-coronavirus-refugee-healthcare>.

Recommendations

To the Government of Lebanon

- To honor its commitments made by previous governments and expand the residency fee waiver to apply to all refugees regardless of entry date, registration profile or border crossed and ensures consistent implementation of the waiver.
- To commit to guarantee the right of the Syrian refugees to be assigned a lawyer to defend him or her, in accordance with Art. 47 of the Lebanese Code of Criminal Procedure, as well as the Universal Declaration of Human Rights and the United Nations Convention against Torture.

To the UNHCR

- To provide humanitarian support to all refugees who have been returned to Lebanon after a tentative to emigrate to Europe by sea. This involves medical support, food and water, legal counseling, and shelter.
- To push for full access to monitor the treatment of refugees who come back to Lebanon after being caught at sea to make sure the rule of law is upheld, that their rights are respected, and that protection and dignity are guaranteed.

To the security forces

- To guarantee the dignity and access to humanitarian support for every individual who enters back Lebanon after being caught at sea or being sent back from another country.
- To uphold the principle of non-refoulement and not take any unilateral decision to deport any individual who entered the country after leaving it.
- To make sure the individuals returned to Lebanon and lacking residency documents have access to a fair trial to guarantee the rule of law, transparency and justice.
- To not discriminate on the basis of nationality when implementing curfew or other measures, especially during lockdown periods, especially when dealing with refugees (whether Palestinian or Syrian).

To donors

- To ensure multiannual, predictable and flexible humanitarian and development support, increase funding to human rights initiatives to advocate and support both the Lebanese host and the Syrian and Palestinian refugees' communities.



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