Historical Backgrounder: Lebanon's 2014 Refugee Policy Shift

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Executive Summary

While Lebanon has the largest per capita refugee population in the world, Lebanon's protection of refugees has been controversial and limited. Lebanon's complex politics have created an environment for contradictory policies, leaving the international community critical of Lebanon's intentions and willingness to protect refugees. From its original contested open-border policy to the eventual crackdown on Syrian refugees, this paper offers a historical analysis of the progression of Lebanon's refugee policies to give context to current responses to refugees. Lebanon's refugee policies took a drastic turn in 2014 as the Lebanese government shifted from a policy of inaction to a more organized anti-Syrian refugee framework characterized by mass crackdowns, forced repatriation, and limited access to asylum. This paper explores how Lebanon's shift to an anti-refugee framework was strongly shaped by Lebanon's social, historical, political, and economic conditions. Some of the main factors that will be discussed include Lebanon's history of civil war and a difficult relationship with Palestinian refugees, the country's political and economic instability, and its complicated sectarian political system. The paper concludes with recommendations for future research on Lebanon's refugee policies to build a more analytical and nuanced understanding of the Lebanese response and overall refugee crisis.

Introduction

The Syrian refugee crisis has produced over 5 million refugees in the region of the Levant, with most of the refugees residing in the neighbouring countries of Lebanon, Turkey, and Jordan. While all of these countries host a large number of Syrian refugees, Lebanon often rises to the spotlight. Including Palestinians, 1 in every 5 people living in Lebanon are refugees, the largest number of refugees relative to the national population of any country in the world (UNHCR 2022: 3). At the end of 2022, Lebanon hosted 840,900 Syrian refugees and 483,000 registered Palestinian refugees (UNHCR 2022: 3, 16). Previously, Lebanon hosted an even greater number of Syrian refugees. At the end of 2014 – the year of the policy shifts described below – Lebanon was hosting 1.15 million Syrian refugees, making almost 1 in 4 inhabitants in Lebanon a refugee (UNHCR 2015).

Lebanon's treatment of Syrian refugees has been a topic of interest to the international community. However, due to Lebanon's changing refugee policies, the country's response has been commonly misunderstood. The paper will focus on the 2014 policy shifts, covering the transition of Lebanon's refugee policies from the start of the Syrian refugee crisis in 2011 to mid-2019, before the beginning of the mass political protests, the economic downturn, and the COVID-19 pandemic. This paper will argue that Lebanon's refugee policies took a drastic turn in 2014 as the Lebanese government shifted from a policy of inaction to a more organized anti-Syrian refugee framework characterized by mass crackdowns, forced repatriation, and limited access to asylum**.** This drastic turn is most famously associated with the October 2014 Policy Paper, which was presented by the Lebanese government as its first step in establishing a comprehensive policy for dealing with the refugee crisis within its borders (Janmyr 2016). This paper will ultimately argue that Lebanon's initial response and its drastic shift in framework are both strongly shaped by historical, social, economic, and political factors.

While Lebanon is not a party to the 1951 Refugee Convention, which outlines the rights of refugees and the ways in which host nations are expected to act, Lebanon is still expected to abide by the Convention's international norm of *non-refoulement*. This universally accepted and respected norm outlines the idea that host states cannot forcefully return refugees within their territory to their country of origin if it is still unsafe for the refugees to return.

Lebanon has adopted a different approach to dealing with the refugee crisis in comparison to its neighbours. Following the beginning of the Syrian war in 2011, while Turkey and Jordan both presented a clear framework for dealing with the refugee crisis, Lebanon did not present official refugee policies in the initial stages of displacement. However, Lebanon attracted great criticism from the UNHCR in 2014 as the government started strongly advocating for the forced repatriation of Syrian refugees. Lebanon's disregard for the internationally respected norm of *non-refoulement* draws great curiosity into understanding the trajectory of Lebanon's refugee policies. Lebanon's policies have also become increasingly securitized, acting upon a perception that refugees threaten the stability and security of the country. A closer look at Lebanon's deviation in policy in comparison to its neighbouring host states leads to the question of why Lebanon chose to implement such changing policies toward Syrian refugees.

The first section explores the defining features of Lebanon's policy of inaction (sometimes called a 'policy of no policy') towards Syrian refugees from the period of 2011 to late 2014. The second section analyzes the varying social, political, historical, and economic factors that have defined and shaped Lebanon's policy of inaction. The third section explores how Lebanon's trajectory changed with the October 2014 Policy Paper and how the country established an anti-Syrian

refugee framework. The fourth section analyzes the factors that contributed to Lebanon's drastic transformation in policy. The final section identifies some gaps in knowledge for future research.

1. An Overview of Lebanon's Policies from 2011–2014

Lebanon started accepting refugees in the first year of the Syrian civil war. By April 2011, 2,000 asylum seekers had entered Lebanon. However, that number quickly grew to nearly 1.2 million by January of 2015 (Dionigi 2016). Most of these refugees had entered the country between 2011 and late 2014, when the Lebanese government was more welcoming to refugees (Akram et al. 2015). There were different perceptions among the international community about the effectiveness of the Lebanese government's refugee policies during this time period. On the one hand, many praised Lebanon's open-border policy and highlighted the positives of their non-encampment policy (Janmyr 2016). On the other hand, as time progressed, the international community increasingly began to criticize the way in which Lebanon was handling the refugee crisis. Observers often argue that although Lebanon was more welcoming of refugees during this time period, its 'policy of no policy' worked to undermine the protection and rights of Syrian refugees (Mourad 2017). Such assessments are mainly based on the fact that Lebanon failed to establish a formal legal framework that protected the Syrian refugee population, thus putting refugees in a precarious situation. This section will focus on Lebanon's border regulations, its labelling of Syrians, its non-encampment policy, and the decentralization of its framework.

1.1 Lebanon's Border Policies

From 2011 to late 2014, it was generally viewed that Lebanon allowed Syrian refugees to easily enter with little to no scrutiny. Many have argued that despite the fact that Lebanon was not a

signatory to the 1951 convention, they have respected the customary international law of *non-refoulement*. However, upon further analysis of Lebanon's open-border policies, many authors argue that Lebanon does not in fact have an open-border policy that abides by the UNHCR's *non-refoulement* norm because it was not necessarily based on the UNHCR's guidelines for accepting refugees (Akram et al. 2015). Instead, it was based on a 1993 Bilateral Agreement between Lebanon and Syria (Mourad 2017). This agreement allows for Syrian citizens to attain temporary residence permits. Syrians who presented valid ID cards at the border received a free residence permit for 6 months, which could be renewed for another 6 months at no charge. However, if Syrian citizens wanted to stay longer than a year, they would need to pay to renew their residence permits. This policy leaves refugees in a tough position, as most are forced to stay within Lebanon as illegal residents, since most cannot afford the high fees of residence permit renewals (Mourad 2017). While Syrian refugees can apply to gain permanent residence status as foreigners, the criteria to be accepted as a permanent resident within Lebanon are very limited and Syrian refugees rarely qualify (Akram et al. 2015). The precarious and unprotected status of Syrian refugees and Lebanon's unwillingness to recognize them as refugees or permanent residents leaves refugees in a vulnerable position where they constantly fear deportation or arrest due to their illegal status (Akram et al. 2015). Therefore, authors like Mourad (2017) make the argument that Lebanon only had the façade of an open-border policy between 2011 and 2014, which is not defined by refugee acceptance and protection, but rather a situation where the state does not regulate its borders.

1.2   Labelling of Syrian Refugees as "Displaced Peoples"

One of the most important aspects of the protection of refugees and asylum seekers is their legal status within the host country. The label given to refugees by host nations often determines the rights and protections that are offered. Labelling a group as "refugees" grants rights to *non-*

refoulement and other protections under international law, whereas using other labels makes it possible for governments to reduce the rights and protections afforded to refugees (Zetter 2007). Lebanon does not have any specific laws or policies that address the rights of refugees. While Lebanon's 1962 law hints at protection from forced repatriation to a dangerous environment and Lebanon recognizes the norm of *non-refoulement*, Lebanon's commitment to *non-refoulement* is often doubted (Abi Khalil 2015). Lebanon has stated that its limited refugee-specific laws do not apply to Syrian refugees and asylum seekers (Abi Khalil 2015). Lebanon does not recognize Syrian asylum seekers as "refugees" and instead legally refers to them as "displaced people" (Janmyr 2016). This label was given to Syrian refugees partly due to its temporary connotations since Lebanon does not view itself to be a country of asylum (Janmyr 2018). Lebanon operates on the principle that refugees and displaced people should only stay in Lebanon temporarily, until they are placed in another country for asylum (Janmyr 2016). By failing to provide a national framework for the protection of refugees and by refusing to label Syrian refugees as refugees, Lebanon has placed Syrian refugees in a vulnerable position where they lack legal protection (Janmyr 2016). It also limits the scope of UNHCR's protection work and it results in a risk of deportation and abuse at the hands of the Lebanese state.

1.3   Ban on Official Syrian Refugee Camps

Unlike Jordan, Turkey, and Iraq, who all chose to structure their refugee response around formal encampment policies, Lebanon made the unique decision to take the opposite route of having Syrian refugees stay in informal settings or in private housing (Sanyal 2017). Lebanon has banned the establishment of official Syrian refugee camps (Mourad 2017). Instead of official camps, Syrian must stay in private housing in urban areas or in informal settlements that are located on private agricultural lands (Sanyal 2017). The informal settlements on agricultural lands are usually

located in underprivileged areas like the Bekaa Valley, Baalbek, and Akkar (Sanyal 2017). Despite not having official camp status, many of these informal settlements share the same characteristics and governmental practices as formal refugee camps, including the policing and control of refugees, but without the usual protection and legitimacy of camps (Sanyal 2017). Refugee settlements continue to be controlled and segregated not by governmental forces, but rather by private powerful actors such as landlords and NGOs (Sanyal 2017).

1.4   Devolving Responsibility to Local Governments

Another defining characteristic of Lebanon's 'policy of no policy' is the devolution of responsibility from the federal to the local level. This process is widely attributed to the federal government's unwillingness and inability to adopt a formal refugee policy due to political deadlocks (Abi Khalil 2015). As a result, municipal and local governments were often left with the responsibility of dealing with housing shortages, healthcare services, security, and other social services (Abi Khalil 2015). However, there has been criticism since municipalities lack funding and administrative capacity to adequately respond to the refugee crisis (Abi Khalil 2015). In fact, it is often argued that giving municipalities the responsibility to deal with the socio-economic and political side effects of the refugee crisis has largely failed due to the lack of municipal capacity in dealing with the rising unemployment, increased social conflict, and other challenges (Abi Khalil 2015). Due to the lack of formal refugee policies at the federal level, municipalities were left to adopt their own independent policies even if they were outside of their legal jurisdiction or unconstitutional (Attallah and Mahdi 2017). Municipalities have taken on the main role in tracking and regulating the presence and movement of Syrian refugees within their jurisdiction. One of the most common municipal policies has been the implementation of curfews for Syrian refugees. Municipalities also control UN and NGO access to refugee populations (Mourad 2017).

2. Factors that Explain Lebanon's Response from 2011 to 2014

Lebanon's failure to enact a formal federal response framework for the refugee crisis can be explained by a wide array of factors related to the structure of the state. Upon further analysis of Lebanon's response, it becomes clear that Lebanon's 'policy of no policy' that existed from 2011 to late 2014 was largely shaped by various historical, socio-political, and economic factors that are rooted within the nature of the state. This section will explore these factors, from Lebanon's history with a 15-year civil war to its sectarian troubles.

2.1 History of Instability: Lasting Effects of the Civil War

Lebanon's 15-year civil war, which lasted from 1975 to 1990, continues to have lasting consequences for Lebanon's socio-political and economic policies. Starting in 1990, Lebanon's largely sectarian war claimed over 90,000 lives and left two-thirds of the country displaced (Mallo 2019). The war originally started as the Maronite Catholic Phalangist forces started clashing with the largely Sunni Muslim Palestinian militias operating within Lebanon. However, that conflict soon broke out into an all-out war which involved different sectarian groups within Lebanon (Mallo 2019). As the civil war spiraled out of control, Syria intervened in 1976 in an effort to stop the war and strengthen Syrian influence over Lebanon (Mallo 2019). The war also saw multiple invasions by Israeli forces in 1978 and 1982 and the creation of proxy groups like the Southern Lebanon Army (SLA), who fought in the interest of Israeli forces (Mallo 2019).

2.2 History with Palestinian Refugees

When looking at Lebanon's difficult history with Palestinian refugees, it becomes clear that Lebanon's policies are based in part on the fear of repeating deadly conflicts with Palestinian refugees and militias that are based out of refugee camps. Palestinian refugees have been an

integral part of Lebanese society for decades. The presence of Palestinian refugees has greatly affected Lebanese history, society, politics, and economy. Palestinian refugees largely started seeking refuge in Lebanon in 1948 due to what is known as the 'Nakba' where Israeli forces forcefully displaced Palestinians from their homeland. Many Palestinians fled to the surrounding countries, where they continue to reside. Currently, there are approximately 450,000 Palestinian refugees residing in and around Lebanon's 12 official and recognized refugee camps (Siklawi 2019). Unlike all the other refugees in the world who are protected under the mandate by the UNHCR, Palestinian refugees are covered under the mandate of the United Nations Relief Works Agency (UNRWA). UNRWA is exclusively a relief agency that does not have the authority to protect the human rights of refugees. UNRWA's funding has not been enough to adequately take care of the needs of Palestinian refugees within Lebanon.

Palestinian refugees continue to live in precarious conditions that are defined by poverty, uncertainty, and a protracted situation with no end in sight. It has been argued that Palestinian refugees in Lebanon have historically faced the worst treatment in comparison to Palestinian refugees in other Arab states. Palestinian refugees do not hold Lebanese citizenship despite residing in Lebanon for decades. They have been given the legal status of foreigners, which has negatively affected their rights to healthcare, social services, education, and property ownership. Due to these conditions, Palestinian refugees continue to live in abject poverty, with 65% being unemployed (Ibrahim 2008). In order to find employment, Palestinian refugees are required to get work permits, which the Lebanese state significantly limits (Ibrahim 2008). They are also restricted to working in low-paying, precarious fields of work such as construction, electricity, and agriculture (Ibrahim 2008).

The relationship between Palestinian refugees and Lebanese citizens has been complicated and controversial as it has been defined by long periods of war, conflict, and mutual distrust. The conflict originally started when Palestinian refugees, most of whom are Muslims, first entered Lebanon. This sudden influx was seen as a problem by some local Lebanese forces as Lebanon was originally established to be a Christian state by the French under the Sykes Picot agreements of 1916 (Krayem 1997). The influx of largely Muslim Palestinian refugees resulted in many Lebanese, particularly some Maronite Catholics, feeling uncomfortable and threatened by the increasing number of those who did not share the same religion. The existence of largely Muslim refugees threatened the fragile confessional sectarian system that ruled over all aspects of Lebanese political, social, and economic life (Shen 2009). Many worried about the potential consequences of religious and ethnic demographic shifts (Krayem 1997). The Lebanese state was also particularly unprepared to deal with the large influx of Palestinian refugees as the state itself was weak following its transition to independence from French rule in 1943. At that time, Lebanon did not have the political or the economic capacity to adequately handle the large number of refugees that entered its territories. The combination of Lebanon's inability and unwillingness to fairly treat refugees has set the precedence for its future policies that have continued to supress the rights and livelihoods of refugees.

The situation for Palestinian refugees has been largely defined by the continuous weak state structure of Lebanon, the tense Palestinian-Lebanese relations, the protracted reality of Palestinian refugees, and the devastating civil war. This harsh treatment and restrictions placed on Palestinians served as the basis of a Palestinian revolution against Lebanese laws in the early 1960s. This uprising was spearheaded by the Palestinian Liberation Organization (PLO) who served as the formal representatives of Palestinians and helped transform the Palestinian diasporic national

identity into a formal political entity (Siklawi 2019). With the presence and rising power of PLO militias who controlled the refugee camps, the restrictive laws were successfully challenged. In the process, the PLO set up what was known as a "state within a state" where they controlled the camps. Some Lebanese blamed the rise of tension between Muslims and Christians within Lebanon on the rising power and violence of the PLO (Sucharov 2005). While large factions of the Lebanese population were sympathetic to the Palestinian struggle, others often argued that the PLO's militancy weakened the Lebanese state, threatened Lebanon's sovereignty, and created a hostile environment that contributed to and exacerbated the deadly civil war. Certain factions of Lebanese society also continue to blame the actions of the PLO for the violence and conflict within Lebanon (Sucharov 2005).

These conflicts occurred until 1982 when the PLO was forced out of Lebanon. With the PLO no longer leading the Palestinian refugees and helping with the distribution of aid relief, Palestinian refugees experienced an extreme decline in living standards. The increased isolation and maltreatment resulted in multiple violent conflicts between Palestinian and Lebanese forces both during and after the end of the civil war in 1990 (Siklawi 2019). The end of the civil war was marked by various violent interactions that lead to raiding Palestinian areas and to confining Palestinians in refugee camps. After the end of the civil war, the Lebanese state increased its restrictions on employment, travel, education, health, and property for the confined Palestinian refugees (Siklawi 2019). Ultimately, the low standard of living and the high unemployment rate within Palestinian refugee camps led to a rise in religious extremism in the camps. Extremist external elements took advantage of the horrible social and economic standards by distributing aid and services as a method of gaining political support and dominance over some of the refugee camps. To this day, Palestinian militias operating within refugee camps continue to clash with

Lebanese forces. As a result, Lebanon continues to perceive Palestinian refugee camps as a hotbed of extremism and as a threat to the sovereignty and safety of the Lebanese state. Lebanon's history and current relations with Palestinian refugees continue to serve as a point of contention and all of the different religious communities within the state all seem to vehemently oppose the resettlement of Palestinian refugees within Lebanon (Sayigh 1995).

Overall, Lebanon's contentious history with Palestinian refugees and refugee camps is one of the biggest factors that explains Lebanon's refusal to allow Syrian refugees to stay within camps. Lebanon's bloody history with Palestinian refugees has resulted in many Lebanese nationals turning against the establishment of refugee camps in fear that similar outbreaks of conflict with Palestinian refugees and militias will occur (Mourad 2017). Factions of Lebanese society fear that permanent demographic shifts and a repeat of the situation with Palestinian militias are inevitable.

2.3   Distrust of International Aid Organizations and Fear of Increased Economic Burden

Lebanon's original unwillingness and hesitation to implement a strong national plan to help the large number of Syrian refugees can also be linked to its history of distrust of the international aid system. In its response to Palestinian refugees, the Lebanese government interacted with international aid organizations like UNRWA. After the 1993 Oslo Accord, international aid organizations started drastically cutting back their funding for Palestinian refugees in neighbouring host countries like Lebanon (Sayigh 1995). As UNRWA's funding is greatly controlled by its most prominent donors like Britain and the United States (Sayigh 1995), Lebanon is wary that the future policies of organizations like the UNHCR and UNRWA will be controlled by Western powers. Lebanon has long questioned the intentions and possible ulterior motives of international aid

organizations like UNRWA and UNHCR, with many believing that they base their actions on the interests of their large Western donor states (Sayigh 1995). This belief was largely based on the theory that UNRWA cut its funding for Palestinian refugees in Lebanon due to the international community's interest in reaching a settlement for the Arab-Israeli conflict and shifting the focus onto Palestinians in the West Bank and Gaza (Sayigh 1995). Lebanon also fears that the United States, who is UNRWA's largest donor, may cut its spending and drastically de-fund the whole organization (Sayigh 1995).

Overall, Lebanon's history with decreased funding for Palestinian refugees has resulted in the country-wide sentiment that they cannot fully rely on international aid organizations to help support refugees. The periods of decreased funding have led to increased tension in the country as the conditions of refugees become even more dire and the Lebanese state starts to feel more burdened and responsible for funding refugee programs. The inconsistent and inadequate nature of international funding resulted in greater economic pressure on the Lebanese government. The government struggled to provide adequate housing, education, employment, and healthcare for the refugee population. This struggle was elevated by the fact that Lebanon was originally also dealing with its own economic problems such as high unemployment rates and increased corruption before Syrian refugees started entering Lebanon. As a result, Lebanon was very wary of the increasing number of Syrian refugees. Lebanon's fear about the inconsistency of funding was proven to be legitimate as they originally struggled with securing adequate funding from the international community (Cherri et al. 2016). The inconsistency resulted in great economic pressure on the state as well as unstable and inadequate living situations for refugees. The manifestation of Lebanon's original fears resulted in Lebanon intensifying its policy of inaction.

2.4 Political Instability and Factionalism

The consequences of the 15-year civil war did not cease to exist as the war ended in 1990. In fact, the Lebanese civil war has continued to impact the current state in Lebanon as it transitioned from a war-torn state to a weak and unstable state. Despite the peace agreements that were signed after the end of the civil war, different factions and alliances continued to exist and to battle one another on the economic and political battlefield. Lebanon's warring factionalism and its unstable nature has influenced Lebanon's treatment of Syrian refugees.

Lebanese political alliances are mainly split into the two factions of March 8th and March 14th. The March 14th alliance was formed in 2006 as various political parties came together to protest the presence of Syrian forces in Lebanon. Competing polities parties went on to form the March 8th alliance in support of the Syrian presence in Lebanon and the continued relationship between Lebanon and Syria. This alliance won the presidency in 2016. These competing alliances have resulted in increased tensions and intense competition for power and dominance over Lebanon. The March 14th alliance envisioned Lebanon as an ally to both the West and Saudi Arabia. However, the March 8th alliance believed that Lebanon should be an anti-West country that is a part of Iranian-Syrian alliance. The Syrian civil war worked to intensify the pre-existing factionalism and sectarianism in Lebanon, especially as the numbers of Syrian refugees increased significantly. The political alliances initially had drastically different visions for the way in which Lebanon should engage with Syria and Syrian refugees. The tensions often resulted in physical and armed confrontations between supporters of the differing alliances in the early stages of the conflict. Sunni-led political parties often presented themselves to be more receptive of the refugee populations because they viewed the existence of the mostly Sunni Muslim Syrian refugees as increased political leverage for their own self-interest (Mourad 2017). However, the Shia Muslim

and Christian-led parties were cautious and afraid of the possible demographic shifts (Mourad 2017). As a result of such clashing ideologies and varying political aspirations, Lebanon was not able to come up with a conclusive formal refugee policy. Lebanon opted to walk the line between the clashing political parties by instead choosing to avoid refugee policies that were more aligned with either side. Instead of implementing clear pro- or anti-Syrian refugee policies, they simply opted for a policy of inaction that allowed Syrian refugees to enter the country through a *de facto* open border, while simultaneously stripping them of their refugee rights through their refusal to formally recognize them as refugees.

Another major factor related to political instability that is often noted when explaining Lebanon's 'policy of no policy' is Lebanon's constant change of leadership at the federal level. From 2011 to 2014, there were drastic changes in leadership at the federal level with three changes in Prime Ministers (Mourad 2017). While Prime Ministers were being switched around, Lebanon did not have a President for two years until Michel Aoun was elected in 2016 (Mourad 2017). Due to the unstable political leadership at the federal level, there were constant political deadlocks and a political power vacuum that different factions were competing to fill. As new governments were constantly being formed, political divisions and jockeying were only increasing (Mourad 2017). As a result of the constant change, fighting, and political deadlock at the federal level, the Lebanese federal government opted to instill the 'policy of no policy' due to their inadequacy and inability to put out a unified and strong response to the refugee crisis at the federal level (Mourad 2017).

2.5   2012 Baabda Declaration

As a result of rising conflicts and fear of a spill-over of the Syrian conflict, Lebanese political parties decided to sign the Baabda Declaration. This declaration outlined that Lebanon should

distance itself from the political nature of the Syrian conflict so that the violence and tensions of the Syrian civil war do not spill into Lebanon (Mourad 2017). The declaration was established in the hopes of strengthening Lebanon's national identity by prioritizing Lebanon's interests rather than the sectarian and ideological goals of the differing alliances. The Baabda declaration is a defining moment in Lebanon's 'policy of no policy' as it justified the manifestation of an incoherent policy. After the political parties signed this declaration, Lebanon did not have a clear stance on the Syrian conflict and how refugees should be treated. That roughly translated into staying out of the political implications would arise from establishing formal refugee policies. The competing factions within Lebanon all had differing opinions on the Syrian conflict and the way in which Syrian refugees should be treated. As a result, the Baabda declaration worked to avoid conflicts by formalizing the fact that Lebanon will not take a stance on anything related to the Syrian conflict. By avoiding enacting formal refugee policies, Lebanon could avoid a perception of taking sides in the Syrian conflict.

3. Lebanon's Crackdown on Refugees in 2014

The year 2014 was a transformative year for Lebanon's refugee policies. What was originally defined as Lebanon's 'policy of no policy' transformed into a more active approach when the government started implementing formal anti-refugee policies. These new policies were defined by heavy crackdowns on the Syrian refugee population and a significantly more restrictive border policy. The Lebanese government also started advocating for the forced repatriation of Syrian refugees. Lebanon's violation of the *non-refoulement* norm was especially shocking to the international community who expected all states to follow this basic rule.

The most defining shift in 2014 was the October Policy Paper. This paper was the first official statement of Lebanon's refugee policies, outlining three main policies that would define Lebanon's future framework for dealing with refugees. First, it outlined measures to reduce the number of Syrians in Lebanon. It said that Lebanon would be enacting legislation with the goal to decrease and eventually stop the flow of Syrian refugees coming into Lebanon (Dionigi 2016). It also established that future policies would aim to reduce the number of registered Syrian refugees in Lebanon through the process of repatriation and through resettlement in another country (Dionigi 2016). Second, it allowed local police forces to manage the refugee population within their own jurisdiction. Third, it aimed to enforce laws that are meant to govern the refugee populations, with the apparent intention to protect Lebanese employment by easing the economic consequences of the crisis (Abi Khaili 2015).

The Lebanese government enacted measures to implement this policy by December 2014 (Dionigi 2016). From then on, new measures were introduced to limit the ability of Syrian asylum seekers to enter Lebanon. Before the October Paper, Syrians entered Lebanon under the regulations of the 1993 Lebanese-Syrian bilateral agreement, which allowed Syrians to enter with a six-month visa then renew their visas for a yearly fee (Dionigi 2016). The new regulations in 2015 put an end to this system and instead established a new system that limits the entrance of Syrian nationals by dividing them into seven categories. These varying categories allowed Syrians to enter Lebanon for a limited amount of time for the purposes of tourism, work, trade, education, and etcetera. However, these new rules explicitly did not allow Syrians with displaced status to enter the country unless they were previously registered as being displaced or they met the very narrow criteria for an exception that would allow them to be accepted as displaced people. The criteria for such exceptions are very strict and difficult to meet, as only minors, displaced people who have already

been accepted for resettlement in a third country, or those who need access to emergency treatments would be admitted (Dionigi 2016).

The newly established policies also made it more difficult and expensive for Syrians with the displaced status to renew their visas in order to stay in Lebanon legally. Syrian refugees are required to sign pledges promising that they will not work within Lebanon. Despite this legal restriction on work and the difficulty of earning money legally, refugees are required to pay a large sum of money in order to renew their fees each year, with an average family being required to pay $1375 annually in order to legally stay in Lebanon (Dionigi 2016). This is an exorbitant amount of money for Syrian refugees to pay, especially because many refugees already live in significant poverty. This type of policy is meant to push Syrian refugees into an even more precarious position by forcing them to reside in Lebanon illegally due to their inability to pay the visa renewal fees.

The 2014 October Policy paper marked the start of the normalization and intensification of the crackdown on refugees. Lebanon's new policies resulted in a situation where the vast majority of Syrian refugees were staying in Lebanon illegally. As a result of this policy and the increasing xenophobia towards Syrian refugees, Lebanon started a heavy crackdown on refugees in 2015, characterized by temporary arrests of Syrian refugees, raids on refugee residences, arbitrary detentions, deportation, and repatriation (Rahme 2020). Due to their illegal status, Syrian refugees are often stopped and arrested at checkpoints. Many refugees now worry about potential harassment and mistreatment. Another common tactic of intimidation involves random raids on the residences of Syrian refugees who are suspected to be staying illegally in the country (Rahme 2020). These raids have also been used to maintain Lebanon's non-encampment policies, as Lebanese forces often demolish informal refugee settlements. The use of arbitrary detentions has

also become common practice as a way of pressuring refugees to leave the country out of fear. Syrian refugees are often arbitrarily held up to 10 days and pressured into finding a sponsor who can support them to stay in Lebanon legally (Rahme 2020). Finally, the government has pursued a policy of deportation and has intensified border control across the Lebanese-Syrian border. Thousands of Syrian refugees have been arrested and deported. The Lebanese government claims that such deportations were justified due to their illegal entry into Lebanon (Rahme 2020). At times, Lebanon likes to downplay its deportation efforts and instead highlights the policy of 'voluntary' return as its main method of repatriating refugees (Rahme 2020). While the Lebanese state claims that such returns are not coerced, many in the international community have argued that Lebanon is practising "constructive *refoulement*": when host states use coercive or threatening indirect methods to pressure refugees to leave, such as Lebanon's use of arbitrary detentions, raids, and temporary arrests (Rahme 2020).

4. Factors that Contributed to Lebanon's Shift in Policy in 2014

4.1 The Economic Impact of the Refugee Crisis

Lebanon often argues that the Syrian refugee crisis has put great pressure on Lebanon's economy, resulting in the further deterioration of Lebanon's already weak economic system (Abi Khalil 2015). It is argued that this crisis has increased the social and economic tensions within the country, leading to further destabilization. By the end of 2014, the Syrian refugee crisis had cost Lebanon an estimated $7.5 billion (Abi Khalil 2015). Lebanon claims that such numbers are the result of increased spending for services like education, health, and social welfare. The downward trend of Lebanon's GDP since the start of the Syrian conflict has resulted in decreasing wages, profit, consumption, and investments. It is estimated that the crisis resulted in a $1.5 billion revenue loss each year as tourism decreased. As the crisis went on, there was an increased competition for

employment in sectors that are normally dominated by Lebanese locals. In sectors such as construction and hairdressing, the workforce was quickly being dominated by Syrian refugees, who provided cheaper labour. Many Lebanese blamed Syrian refugees for the economic downturns, despite the fact that Syrian refugees have record unemployment numbers and the fact that they are only allowed to legally work in certain precarious sectors such as construction, agriculture, and services. In addition, the closure of the Syrian-Lebanese border resulted in significant negative consequences for the agricultural businesses that were dependent on Syrian markets. The cessation of import and export of produce contributed to economic decline (Abi Khalil 2015). The 2014 policies were implemented with a stated goal to protect Lebanese employment by easing the economic consequences of the crisis (Abi Khalil 2015).

4.2   Fears of the Spillover of the Syrian War

The intensification of the crackdown on refugees in Lebanon can be partly attributed to the spillover of the Syrian conflict into Lebanon. Hezbollah's 2012 intervention in Syria was a defining moment for Lebanon's domestic political environment (Naoum 2014). Worries about the breaking of the Baabda declaration (with its statement of neutrality in the Syrian war) and the spillover of the Syrian conflict were confirmed in August of 2014 when the Lebanese army and security forces started clashing with terrorist militant groups like ISIS and Jabhat Al Nusra, who were using the Lebanese border town of Arsal to fight battles against the Syrian government and Hezbollah's forces in Syria (Naoum 2014). During these clashes, members of the Lebanese armed forces were taken captive by the opposition militants. This moment was critical in Lebanon's shift in refugee policy as it intensified fears about the increasing number of Syrian refugees, the possibility of spillovers from the conflict, and the undermining of Lebanese sovereignty by armed groups (Dionigi 2016). It was also a reminder of Lebanon's traumatic and bloody struggles with

Palestinian militia groups. Flashbacks to how extremist militias took control of Palestinian refugee camps brought about more anxiety amongst the Lebanese population, who feared that the Syrian conflict would result in the same fate.

4.3 Sectarian Tensions

The year 2014 also marked the milestone of surpassing 1 million registered Syrian refugees within Lebanon (Mourad 2017). The result of this significant influx of Syrians meant that at the end of 2014, nearly 1 in 4 people in Lebanon were refugees (UNHCR 2015). This milestone seems to have triggered anxiety across Lebanon, due to the potential socio-political implications of such sectarian demographic shifts, which was translated into Lebanon's anti-refugee policies (Mourad 2017). Lebanon's history of sectarian conflict and its current sectarian tensions largely fueled its push for a harsher approach to the mostly Sunni Muslim Syrian refugee population. Even before the Lebanese civil war, which was largely defined by religious tensions and fighting, Lebanon's political system was established as a confessional parliamentary democratic system (Naoum 2014). The National Pact was established as a deal between Maronite Catholic and Muslim leaders as a way of determining Lebanon's foreign policy and balancing the power of different religious groups within the country. One of the most prominent aspects of this pact was the declaration that religious groups shall have proportional representation and power-sharing within the Lebanese government. Federal power was split between Maronite Catholics, Sunni Muslims, and Shia Muslims (Naoum 2014). Maronite Catholics were given the leading positions within the army, military intelligence, the Supreme Court, and the Central Bank. Most importantly, the role of President was reserved solely for a Maronite Catholic leader. In this confessional system, Sunni Muslims were guaranteed the position of Prime Minister, while Shia Muslims were given the position of Speaker of the Parliament (Naoum 2014). Overall, Maronite Catholics were initially

given the most power within this system. This pact, which was meant to balance the power between the different religious groups, could not keep the peace as Lebanon experienced a sectarian-based civil war in 1975. The civil war erupted due to Lebanese discontent with the political system and the different sectarian groups eventually resorted to fighting to maintain and expand their position within government (Naoum 2014).

As previously mentioned, large factions of the Lebanese population have largely blamed the presence of Palestinian refugees in Lebanon for the civil war, including the consequences of religious demographic shifts and the increased militarization of Palestinian militias (Sucharov 2005). The rise of sectarian armed groups along with the increasing militarized power of the largely Sunni Muslim Palestinian refugee population sparked mass fear of marginalization amongst the other religious factions (Moubarak 2003). After the end of the civil war, the National Pact was reinforced and the signing of the Taif Accord resulted in shifting executive power from the presidency to the cabinet, which signaled the empowerment of Sunni Muslims. As a result, other religious powers felt increasingly marginalized (Naoum 2014). The increasing number of mostly Sunni Muslim Syrian refugees created new fears within Lebanon, as the Christian and Shiite Muslim populations worry about demographic shifts in favour of Sunni Muslims and about the social and political consequences for Lebanon's fragile sectarian confessional system. There is a shared fear about the possibility that the presence of Syrian refugees will result in the overwhelming dominance of Sunni Muslims and the eventual outbreak of sectarian conflict once again as different religious groups attempt to gain dominance.

Conclusion and Recommendations for Future Research

The Syrian refugee crisis quickly became one of the biggest refugee crises in modern history. With no end in sight to the Syrian conflict, many have been questioning the future of Syrian refugees within the region. Lebanon's refugee crisis has risen to the spotlight as the international community attempts to make sense of Lebanon's policies towards refugees. Lebanon is quickly becoming one of the most researched host countries in the study of the politics of asylum. Not only is Lebanon the country with the highest number of refugees per capita, but it also presents an interesting case of a changing trajectory of refugee policies.

This paper argued that Lebanon's refugee policies took a drastic turn in 2014 as the Lebanese government shifted from a framework of inaction to a more organized anti-Syrian refugee framework, characterized by mass crackdowns and forced repatriation. The October 2014 Policy Paper is often cited as the document that outlined this change in framework. While it was the first comprehensive refugee policy of the Lebanese government, it also represented Lebanon's shift to an anti-Syrian refugee framework as it highlighted the importance of reducing the number of Syrian refugees within Lebanon (Janmyr 2016). This paper explored some of the historical, social, economic, and political factors that shaped both Lebanon's initial policy of inaction and its drastic shift in framework, including Lebanon's history with Palestinian refugees, its sectarian political system, and its difficult economic circumstances.

When looking at some of the failures of the UNHCR and the international community in Lebanon, it becomes clear that the international community has often misunderstood Lebanon's *de facto* open border policy and overestimated the country's willingness and capacity to protect Syrian refugees. Due to Lebanon's lack of official legislative policy in the early stages of Syrian

displacement and the country's changing refugee policies, the message internationally has been unclear. Syrian refugees within Lebanon continue to live in poverty and in vulnerable positions with few rights. With refugees being some of the most vulnerable members of society, they are experiencing more severe consequences from the economic downturn. Now more than ever, durable solutions are needed for this catastrophe. This research paper aimed to provide some much-needed contextualization of Lebanon's domestic affairs and how Lebanon's history and politics affect the country's approach to dealing with the refugee crisis.

Lebanon's changing trajectory raises important questions regarding the future trajectory of refugee policies. The situation for Syrian refugees has become even more uncertain as Lebanon descended into mass protests, an economic recession, and political unrest in late 2019 (Hubbard 2019). The country has been dealing with an unprecedented economic downturn that is characterized by a declining currency, high unemployment, and a failing system of social services (BBC News 2020). Due to the mass protests, Prime Minister Saad Hariri resigned from his position and the different government factions continue to struggle to form a new unified government (BBC News 2020). Many worry that Lebanon is on the verge of another civil war as tensions between the different political and religious factions are on the rise. It is unclear how this new era of instability and violence will affect the Syrian refugee population or whether the economic downfall of Lebanon will result in the Lebanese population and government pushing against the refugee population in even more drastic ways. Lebanon was already politically and economically unstable when the COVID-19 pandemic hit in 2020. Also in 2020, Lebanon's capital Beirut faced a devastating explosion at the port. Due to these recent political and economic upheavals, academics and international actors are uncertain about the future direction of Lebanon's refugee policies.

There are several directions that would be useful for future research. It will be important to continue to track the changes in Lebanese refugee policy over time, as the Lebanese government attempts to scapegoat Syrian refugees for the country's economic and political problems, and as the impacts of various crises (economic, political, COVID-19, etc.) continue to shape the state's response to Syrian refugees. More research is needed on the ways in which the international community can pressure Lebanon to stop its crackdown on refugees. While it is important to recognize that Lebanon is a sovereign state, the international community has the right and ability to use its resources to apply political pressure. For example, organizations like the UNHCR may be able to put conditions on their aid as a way to pressure Lebanon to stop repatriating refugees and to recognize Syrians as refugees. When looking at research regarding the Lebanese refugee crisis, there is a noticeable lack of analysis about the way in which Lebanon relates to the broader international refugee regime. Future research should focus on the ways in which Lebanon is similar to and differs from other prominent refugee-hosting regions like Africa and Southeast Asia.

Finally, when conducting the secondary research for this paper, it was evident that many academics referred to the treatment and experience of Syrian refugees as a monolith. However, it is important to acknowledge the intersectional identities of Syrian refugees and how perceptions of these different identities have affected Syrian refugees and shaped Lebanon's refugee policies. Future research should examine perceptions of the different socioeconomic classes and how policies targeted working-class Syrian refugees versus Syrian refugees who are middle or upper class. Future research should also focus on how policies targeted Syrian refugee men, women, and children. For example, Syrian refugee men are often perceived as a possible security threat, while Syrian women and children are often perceived as financial burdens.

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