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Middle East Brief

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Lebanon's Hostility to Syrian Refugees

Nils Hägerdal

In 2013, Swedish furniture giant IKEA unveiled a new product, developed with refugees in mind: a sturdy housing unit, designed to be delivered in flat-pack boxes and assembled by ordinary people in about four hours in accordance with easy-to-follow instructions.¹ The company had spent \$4.6 million on research and development for the housing unit, which comes with insulated wall panels to withstand subfreezing temperatures, along with solar panels to generate electricity.

IKEA had partnered with the UN refugee agency UNHCR to roll out the housing unit in Lebanon, where a majority of Syrian refugees do not have a regular house or apartment in which to live. The combination of innovative design and UN funding would have been helpful, one might have thought, for cash-strapped Lebanese authorities struggling to manage an influx of over one million refugees. Yet the Lebanese government responded to this offer of additional resources in a surprising manner: They legally banned the structure. Only after six months of negotiations did they allow a trial run of seven housing units, deployed at a site in northern Lebanon—but the trial was aborted prematurely.² The housing units were disassembled, returned to a UNHCR warehouse, and eventually shipped out of Lebanon. Why would the Lebanese government reject an offer of free resources that could have significantly helped raise living standards among Syrian refugees?

This Brief argues that the Lebanese government, unlike those in Jordan and Turkey, has implemented policies on refugees primarily designed to ensure that Syrians do not settle permanently in the country. Those policies include onerous new regulations that make legal residency permits inaccessible for most Syrians, as well as a refusal to open—or even allow the UN to open—

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refugee camps. A specific goal motivates these policies: The government wants to induce more refugees to return to Syria as soon as possible by reducing their incentives to stay in Lebanon. Many Lebanese, in particular Christians and Shia Muslims, view the Syrians as a threat to Lebanon's long-term political stability: They worry that the influx of over one million primarily Sunni Muslim refugees into a diverse Lebanese polity of only four million inhabitants will upset its social, political, and economic balance. The refugee community also hosts Syrian rebel fighters, and some Lebanese worry that the community therefore poses a security risk as well, especially as the Lebanese Shia movement Hezbollah actively contributes to the war efforts of Syrian President Bashar al-Assad's regime in that country's civil war.

As the IKEA incident shows, Lebanon's inability to provide for refugees reflects not only a lack of state capacity or economic resources but also a conscious political choice.

The Syrian Refugee Crisis

Syria witnessed a wave of political demonstrations against the Assad regime in the spring of 2011.³ The regime attacked demonstrators with extensive lethal violence, and the protests gradually morphed into a civil war. Regime forces have used brutal tactics—such as air and artillery bombardment, attacks with chemical weapons, and forced starvation—that harm civilians as well as rebel fighters. As a result, the civil war has generated massive civilian displacement. As of December 2017, over 5.4 million Syrians have fled the country because of its civil war; since they have crossed an international border, they constitute refugees under the 1951 United Nations Refugee Convention.⁴ Aside from the refugees, there are also 6.1 million Internally Displaced Persons (IDPs) *inside* Syria, making its civil war—currently in its seventh year—one of the most destructive in recent memory.

Most Syrian refugees remain in three countries that border Syria: Lebanon, Jordan, and Turkey. UNHCR data show that, of those three countries, Turkey shoulders the largest absolute burden, with over 3.5 million registered refugees, and Jordan the smallest, with 660,000 refugees.⁵ But Lebanon arguably faces the greatest challenge among the three. It currently has about one million registered refugees, although the true number of refugees in the country at present could be nearly two million people, or almost one-third of its current population.⁶ Since 1945, few countries have experienced a refugee influx of this magnitude.

Syrian refugees generally fare worse in Lebanon than in Turkey or Jordan. For instance, in Jordan and Turkey a majority of Syrian refugees live in rental apartments, and an additional 10–20% live in refugee camps.⁷ Conversely, in Lebanon, 18% of Syrian refugee households live in informal settlements with makeshift structures made of corrugated iron and plastic tarp, and an additional 35% live in substandard buildings not intended for human habitation, such as agricultural barns or abandoned construction sites.⁸ Informal and substandard housing is typically not weatherproof or otherwise resilient to winter storms, and there is usually inadequate access to running water and sewage facilities. Most refugees in both groups still pay rent, as they reside on private land; and of those who pay rent, an estimated 82% do not have a formal lease or other legal protection.⁹ Furthermore, in Jordan and Turkey a majority of Syrian children attend school, but in Lebanon, where a narrow majority of refugees registered

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with UNHCR are under 18 years of age, about 75% of Syrian children do not attend school.¹⁰ Child labor is routine, including as beggars and street vendors, and forced marriages of underage women are commonplace.

Lebanese Policy on Syrian Refugees

As the situation in Syria unraveled in 2011, civilians began to leave their homes and stream into neighboring countries, whose governments had to respond to this spontaneous influx of refugees. The initial response in Lebanon was characterized by political paralysis and dysfunction, as national leaders could not agree on a unified national response. One consequence of this paralysis was that not only did the country fail to set up organized refugee camps or other reception centers, but its failure to grant legal permission to others to open refugee camps also prevented the United Nations and other international actors from doing so.¹¹ Consequently there are no formal refugee camps for Syrians in Lebanon.

In contrast, both Turkey and Jordan host large refugee camps. Admittedly only about 10–20% of registered refugees in Jordan and Turkey live in refugee camps, but for those who do, the camps provide a safe and stable environment, as well as a focal point for international organizations to provide services. Thus, Syrian children in Turkey are much more likely to be enrolled in school if they live in a camp than if they live elsewhere.¹²

But the most consequential policy difference between the three countries lies in the divergent legal status of Syrians within their borders. None of the three countries that host the largest numbers of Syrian refugees fully adhere to the most important source of refugee rights in the international community: the 1951 United Nations Refugee Convention and its 1967 protocol, ratified by 145 nations worldwide. These treaties are supposed to guide national legislation on the right to apply for asylum, and specify that refugees have rights such as access to courts, to elementary education, and to travel documents, and that they should receive the same public services and treatment in the labor market that nationals do. Lebanon and Jordan never ratified the 1951 Refugee Convention, because they wanted to avoid legal responsibilities with regard to Palestinian refugees. Turkey adheres to the Convention only partially, effectively granting full refugee rights only to ethnic Turks who were displaced from European countries in conjunction with major wars. UNHCR registers Syrians in all three countries

as de facto refugees under international law, but this designation does not confer any legal rights within national jurisdictions.

When the civil war broke out in 2011, Syrians in Lebanon initially had an easier time obtaining legal residence than those in Jordan or Turkey. Because of the close historical relations between the two countries, Syrians entered Lebanon as they had for decades: Syrian passport holders received a six-month visa stamp at the border that they could renew inside Lebanon, free, for a second six-month stint.¹³ After one year, the visa could be renewed inside Lebanon any number of times at a cost of \$200 per person per year. Those who arrived after 2011 could also maintain legal status indefinitely by traveling to the Syrian-Lebanese border once every six months, crossing into Syria, and then immediately returning into Lebanon on a new visa at no charge. (Note, however, that these generous policies never applied to Palestinian refugees in Syria: Even prior to the Syrian civil war, they required extensive paperwork to enter Lebanon.¹⁴ Since 2013, the paperwork requirements have gradually increased to the point of making legal entry for them nearly impossible.¹⁵)

Both Jordan and Turkey introduced new laws after 2011 to give Syrian refugees temporary protected status so that they could remain in the country legally, even though they could not apply for asylum. They cannot be deported back to their country of origin, and they have some protections against arbitrary arrest and detention. Temporary protected status also means that refugees can access some public services and apply for work permits, even though in practice they face many hurdles. For instance, in Turkey it is employers who must apply for work permits for their Syrian workers rather than the workers themselves, but only small numbers of employers do so, as permits also involve paying a minimum wage and making social security contributions.¹⁶ In Jordan, on the other hand, over 60,000 Syrians—about 20% of the working-age refugee population—held work permits as of August 2017.¹⁷ Temporary protected status also grants refugees the ability to seek recourse from the criminal justice system if they are victims of a crime.

The Lebanese government moved in the opposite direction, by restricting access to legal residency for the refugee community. In October 2014, the Lebanese Council of Ministers introduced new policies explicitly designed to reduce the number of Syrians in the country, by making it extremely difficult for them to maintain legal status.¹⁸ A string of new regulations

limited entry by Syrians into Lebanon to those who could present valid identity documents, along with proof that they were eligible for one among seven visa categories. The new policies also made it considerably more difficult for Syrians already within Lebanon to renew their residence permits. Syrians now have to renew their permits more frequently, at greater cost, and by presenting documents—such as a formal lease—that most of them do not possess. The conditions are effectively designed so that most refugees will not be able to meet them.

As a predictable consequence of these new regulations, the share of Syrians in Lebanon who do not have formal legal status—who are thus effectively illegal immigrants—rose in the first six months of 2015 from 9% to 61%.¹⁹ NGO reports detail how the lack of legal residency makes life increasingly difficult for Syrians in Lebanon.²⁰ Without residence permits they cannot obtain legal employment or access public services. They cannot open a bank account or receive government paperwork, such as marriage licenses for newlyweds or birth certificates for newborn babies. They cannot seek recourse from the legal justice system. Without residence permits they risk arbitrary arrest or detention at checkpoints, which limits their geographical mobility. Many avoid travel within Lebanon, even extending to leaving their local area.

In response to this hardship, many Syrians have left the region for Europe over the past seven years. That number rose sharply in 2015 as Turkey relaxed enforcement of its border with Greece, enabling refugees to reach a number of Greek islands via a relatively short journey by boat; but the EU-Turkish deal of early 2016—according to which Turkey would resume tough border enforcement and migrants arriving in Greece would be sent back to Turkey if they did not apply for asylum or if their claim was rejected—effectively closed this route.²¹

The main option at present for Syrians trying to reach Europe is to travel via Libya to Italy: This is a much longer, more complicated, and more dangerous journey, both overland and over open seas, and one that few Syrians manage to complete. As a result, the rate of new Syrian asylum applications in EU member states has dwindled from over 60,000 in the month of October 2015 to fewer than 5,000 in October 2017.²² Some Syrians are starting to return to government-controlled areas of Syria, including Damascus and Aleppo, by their own volition; the UN estimates that over 31,000 Syrians returned from Lebanon during 2017.²³ In addition, Hezbollah and Sunni militias have made deals to evacuate back to Syria some refugee communities that

host militants inside Lebanon, and over 10,000 people have left the border town of Arsal alone.²⁴ But the overwhelming majority of Syrians in Lebanon do not at present feel safe to return to their original homes.

The Syrian Refugee Issue in Lebanese Politics

Why was the initial Lebanese response to the influx of Syrian refugees so disorganized, and why has the country's political establishment subsequently unified around a strict legal framework that deprives refugees of legal rights, with harsh consequences for their welfare? The answer lies in domestic Lebanese politics. Lebanon has three dominant demographic groups: Sunni Muslims, Shia Muslims, and Christians. The country maintains a parliamentary democracy with set quotas of seats for each of its ten largest sectarian communities, and most political parties ostensibly represent one sectarian community.²⁵ To understand Lebanese policy on Syrian refugees, we therefore need to understand how the three largest sectarian communities view the issue.

Among Lebanese Christians—and increasingly among Shia Muslims as well—the dominant perspective is that Syrian refugees constitute a threat. As the refugees are primarily Sunni, some worry that if they were to settle in Lebanon permanently they would upend the demographic balance between Sunni, Shia, and Christians. Many draw parallels to the Palestinian refugees who arrived in Lebanon after the war of 1948 and whose political exclusion contributed to radicalization and political violence. In the late 1960s, Palestinian refugee camps became the epicenter of the Palestinian movement for armed struggle: Armed Palestinian groups quickly outgrew the relatively meager resources of the Lebanese Armed Forces, and the camps developed into no-go-zones where Lebanese police and military could not enter.²⁶

In addition, the refugees are mostly Sunnis who oppose the Assad regime, while the Lebanese Shia party Hezbollah openly admits (as of May 2013) that their fighters participate in combat operations in Syria to support the regime.²⁷ In response, in 2013 and 2014, both Syrian and Lebanese Sunni militant groups began a major campaign of suicide bombings and other attacks that rocked Lebanon with attacks on Shia neighborhoods, Lebanese Armed Forces personnel, and other targets.²⁸ The bombing campaign petered out in the spring of 2014 as Hezbollah, the Lebanese Armed Forces, and the rest of the Lebanese security establishment began to collaborate more closely on sharing intelligence and intercepting

terrorist attacks.²⁹ Yet some Lebanese worry that Syrian Sunni refugees still constitute a security risk, as so many of them support militia groups that fight Hezbollah troops on the other side of the border. They fear that Sunni militant groups might resume attacks against Shia or Hezbollah targets *inside* Lebanon in the future.

Many working-class Lebanese also view the influx of Syrian refugees as an economic threat because of increased competition for jobs in the unskilled and informal sectors. Unskilled Lebanese workers claim that they are losing their jobs to Syrian refugees because the Syrians receive cash assistance from UNHCR and NGOs and can therefore work for below-subsistence wages.³⁰ Indeed, reports indicate that wages for unskilled agricultural work in Lebanon have fallen by about 50% since the beginning of the Syrian war.³¹ While sectarian concerns tend to dominate Lebanese politics, labor market competition has proved to be a salient issue with unskilled Lebanese from all sectarian groups. One survey of Lebanese in the poor rural regions of Akkar (mostly Sunni and Christian) and the Beqaa (majority Shia), for example, found that over 90% of respondents in both regions agreed that Syrians constitute an “economic threat.”³²

In the Sunni community, perceptions of Syrian refugees are more mixed than among Shia and Christians and have also evolved over time. Lebanese Sunnis tend to sympathize with opposition forces in Syria. They remember how the Syrian regime occupied their country from 1990 to 2005, that it remains the primary suspect in ordering the assassination of former Lebanese prime minister Rafik Hariri in 2005, and that it funds and arms Hezbollah.³³ Many Lebanese Sunnis hoped that the civil war would quickly install a new Syrian regime more aligned with their political interests. Senior leaders in the largest Sunni political party in Lebanon, Future Movement, actively assisted Syrian opposition forces by funneling arms into Syria from at least 2012 until about mid-2014.³⁴ There is also a regional dimension to this policy, as the main foreign sponsor of the Future Movement, Saudi Arabia, worked through various channels to attempt to remove the Assad regime, a key Iranian ally.

When the Syrian civil war broke out, the Lebanese Sunni community consequently approached Syrian refugees from both a humanitarian and a strategic perspective. With regard to humanitarian concerns, the refugees are primarily Sunni, and there was likely an element of sectarian solidarity. Many Sunnis in northern and eastern Lebanon also have family and tribal bonds across the border.

But among those arriving from Syria were rebel fighters who subsequently used Lebanon as a sanctuary space and to smuggle arms and supplies.³⁵ Hosting those operatives thus served a strategic purpose as well, in particular in 2012 and 2013, when many observers believed that the Assad regime was nearing its last days. Those who believed in the imminent demise of the regime therefore believed that refugees were only staying temporarily and would soon return to their original homes.

Perceptions began to change around 2013, however, and Sunni leaders began advocating tighter measures on refugees beginning around mid-2014.³⁶ Three strategic calculations changed over the course of 2014. First, military realities on the ground changed as Hezbollah entered the Syrian civil war in full force. Its capture of Al-Qusayr in 2013 and Qalamoun in 2014 effectively sealed the border between Lebanon and Syria and shut down smuggling routes to Homs and Damascus; hosting Syrian militants on Lebanese soil thus served less of a strategic purpose.

Second, the balance of power among Syrian rebels was rapidly shifting away from secular groups like the Free Syrian Army and toward Islamist militias like the Al Qaida-affiliated Nusra Front and the Islamic State in Iraq and Syria (ISIS). Many of those groups participated in the bombing campaign in Lebanon in 2013 and 2014. With the Syrian border effectively closed to rebel fighters, radical Sunni elements advocated taking the fight against Hezbollah to Lebanese soil. Sunni elites, and in particular the Future Movement, effectively had to choose between either cracking down on militants or inviting a wave of political violence that could spark civil war within Lebanon itself.

Finally, by mid-2014, fewer observers believed that the Assad regime faced imminent collapse or that the refugees would start to return home any time soon. Humanitarian concerns started to give way in the face of labor market competition, pressure on public services, and rising crime rates.

In short, by the summer of 2014, Syrian refugees no longer appeared to Sunni leaders as a strategic asset. The fact that views in the Sunni community evolved over time explains both why political paralysis prevented decisive decisions on refugee camps early on during the war and why the Lebanese government could unite around a policy of hostility to, and strict legal requirements for, Syrian refugees by October 2014.

Conclusion

Why would the Lebanese government reject an offer of free resources—such as the IKEA housing units described in the introduction to this Brief—that could improve the welfare of refugees? The reason is that the government worries that if Syrian refugees settle comfortably in Lebanon they may stay there indefinitely, so it actively pursues policies designed to induce refugees to return to Syria as soon as possible.

Many Lebanese view the refugees as constituting an almost existential political, economic, and military threat to their country. While they may sympathize with refugees' suffering, they view national security as more important than humanitarian concerns. For this reason it appears that current government policies have large public support, especially among Christians and Shia Muslims and—owing to the complex considerations discussed above—among many Sunnis as well. Since its independence in 1943, Lebanon has experienced two civil wars, numerous foreign invasions, and countless terrorist campaigns. Its denizens accordingly appreciate the value of political stability.

The international community exerts considerable efforts to help Syrian refugees. International organizations, NGOs, and foreign donors have a genuine desire to help and marshal considerable resources toward achieving this goal. Their work is particularly difficult in Lebanon, however, since the government remains deeply ambivalent about improving refugee welfare. Without firm leadership from the central government, it is also difficult to coordinate efforts in an efficient manner across so many organizations. Relief efforts in Lebanon remain fragmented and uncoordinated as a result.

Whether Syrians in Lebanon will return to their original homes as the civil war declines in intensity remains an open question. At present, however, the refugees are caught in a stalemate. The Lebanese government is desperate to prevent them from getting too comfortable, but many of them have nowhere else to go.

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